

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

GALWAY TOWN ELECTION
PETITIONS;

WITH THE

PROCEEDINGS OF THE COMMITTEE.

(1866.)

Ordered, by The House of Commons, to be Printed,
17 May 1866.

Thursday, 3d May 1866.

NAMES of the Members of the Select Committee appointed to try and determine the matter of the Petitions complaining of an undue Election and Return for the Borough of Galway:—

Robert Colling Hanbury, Esq.
Lawrence Oliphant, Esq.

Francis Sharp Powell, Esq.
John Reginald Yorke, Esq.

HENRY HURSEY VIVIAN, Esq. (Glamorgan), *Chairman.*

Friday, 4th May 1866.

Ordered, THAT the Petitions relative to the said Election be referred to the Committee.

Ordered, THAT the Committee do meet To-morrow, in one of the Committee-rooms of the House, at Twelve of the clock.

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R E P O R T.

GALWAY TOWN ELECTION COMMITTEE.

Monday, 14th May 1866.

THE HOUSE informed, that the Committee had determined,—

That Michael Morris, Esq., is duly elected a Burgess to serve in this present Parliament for the Town or Borough of Galway.

That Sir Rowland Blennerhassett, Bart., is duly elected a Burgess to serve in this present Parliament for the Town or Borough of Galway.

The House further informed, that the Committee had agreed to the following Resolutions :—

That the Petition presented by John Orrell Lever, Esq., so far as relates to Michael Morris, Esq., is frivolous and vexatious.

That the Petition presented by Nicholas Stubber, Esq., so far as relates to Michael Morris, Esq., is frivolous and vexatious.

That it was proved to the Committee that John Dillon received 5 *l.* from John Kirwan.

That James Mullins received 5 *l.* from Michael O'Brien.

That Patrick Needham received the value of 5 *l.* in clothes and money from John Kirwan.

That Andrew Coen received 5 *l.*

That John Garraghty, Peter Garraghty, John Barritt (senior and junior), Geoffrey Murphy, Benjamin Matthews, Michael Curran, and other voters, received the value of 5 *l.* in money and bread stuffs from James Power Keane, on account of having voted for Sir Rowland Blennerhassett, Bart.

That it was not proved to the Committee that such bribery was committed with the knowledge or consent of Sir Rowland Blennerhassett, Bart., or his agents.

That the Committee have reason to believe that corrupt practices have extensively prevailed at the last Election for the Town or Borough of Galway.

PROCEEDINGS OF THE COMMITTEE.

Saturday, 5th May 1866.

NAMES of the Members called over :—all present.

The Committee agreed to the following Preliminary Resolutions :—

That Counsel will not be allowed to go into matters not referred to in their opening statement, without a special application to the Committee for permission to do so.

That if costs be demanded by either party under the 11 & 12 Vict. c. 98, the question must be raised immediately after the decision on that particular case, unless the Committee shall otherwise decide.

That the Committee expect, that with respect to cases of bribery, or offers or promises of money, or other valuable consideration, which it is intended to bring home to the Sitting Member or his agents, the Counsel for the Petitioners will now state the names of the Electors bribed, or to whom such offers were so made, and those of the persons who actually gave the bribes, or offered to do so.

The Committee, however, reserve to themselves a power, upon the special application of Counsel, to proceed with any case which tends to implicate any principal or agent, the knowledge of which case has been brought out before the Committee in the progress of the investigation, with the circumstances of which the parties could not have been previously cognisant.

That with respect to treating, the Committee will expect Counsel to state the times and places where such treating is alleged to have taken place.

That with respect to undue influence, the Committee will require to be furnished with a list of the persons who are alleged to have been subjected to such undue influence, and also with a list of those who are alleged to have exercised it.

The Committee, however, reserve to themselves a discretionary power, as in cases of bribery.

That no person shall be examined as a Witness who shall have been in the room during any of the proceedings (with the exception of the Sitting Members and their agents, whose names shall be handed in), without the special leave of the Committee.

That the Committee will only allow one Counsel to address them on opening the case, and one Counsel on the summing up.

That if any point of law should arise requiring argument, the Committee reserve to themselves the power of hearing only one Counsel on each side.

That the Committee will follow the practice of the courts of law with regard to speeches, as laid down in Section 18 of the "Common Law Procedure Act, 1854."

That if leading Counsel are not prepared to sum up the case on either side, when the evidence is terminated, the Committee will not protract the proceedings for the convenience of Counsel.

The Petition of *John Orrell Lever*, was read.

The Petition of *Nicholas Stubber*, was read.

Counsel for the Petitioner *John Orrell Lever*:—*Mr. Serjeant Ballantine* and *Mr. Loderwick*.

Agents:—*Mr. Henry E. Brown* and *Mr. E. Casanova*.

Counsel for the Petitioner *Nicholas Stubber*:—*Mr. Montagu Chambers* and *Mr. William Ritten*.

Agent:—*Mr. R. Forke*.

Counsel for *Sir Rowland Blanchassett, Bart.*:—*Mr. O'Malley, q.c.*, *Mr. Coffey, q.c.*, *Mr. Waters*, and *Mr. Henessey*.

Agent:—

Agents:—Mr. *Sharkey* and Messrs. *Joynt* and *Redington*.

Counsel for Mr. Morris:—Mr. *Rodwell*, Q.C., Mr. *Blake*, Q.C., and Mr. *Pembroke Stephen*.

Agents:—Messrs. *Holmes & Co.*, and Mr. *Thomas Higgins*.

Mr. *Serjeant Ballantine* opened the case in support of the Petition of Mr. *Lever*.

The short-hand writer was sworn by the Chairman.

Mr. *James Swinger*, sworn; examined by Mr. *Inderwick*; produced writ and return for the last election.

Mr. *Ralph Cusack*, sworn; examined by Mr. *Inderwick*; handed in five poll books for the last election.

Mr. *James Flass Keary*, sworn; examined by Mr. *Inderwick*.

On the question, "Now with respect to this treating list!"

Mr. *Rodwell* objected, that "from the 15th day of May to the 18th day of July 1866," was not a sufficient definition of the word "times," in No. 5 of the preliminary resolutions.

Mr. *O'Malley* was heard on the same side.

Mr. *Inderwick* was heard in answer to the objection.

Room cleared.—The Committee determined that the treating list, as put in, did not comply with the preliminary resolution.

Parties called in, and informed of the decision of the Committee.

Mr. *Inderwick* applied for leave to amend the list.

Mr. *Rodwell* was heard against the application.

Mr. *O'Malley* was heard on the same side.

Mr. *Inderwick* was heard in reply.

Room cleared.—The Committee decided that the list could not be amended.

Parties called in, and informed of the decision of the Committee.

Examination resumed; cross-examined by Mr. *Rodwell*; cross-examined by Mr. *Coffey*; re-examined by Mr. *Inderwick*.

Mr. *James Mullins*, sworn; examined by Mr. *Serjeant Ballantine*; cross-examined by Mr. *Rodwell*; cross-examined by Mr. *Coffey*; re-examined by Mr. *Serjeant Ballantine*.

Mr. *Thomas Modjes*, sworn; examined by Mr. *Inderwick*.

Mr. *O'Malley* objected to the course of examination, on the ground that the evidence referred to persons who appeared on the bribery list, as "Seven men, names unknown."

The Committee decided that no evidence, as to bribery of these seven men, could be received.

Cross-examined by Mr. *Rodwell*; cross-examined by Mr. *Coffey*; re-examined by Mr. *Inderwick*.

[Adjourned to Monday, at Eleven o'clock.

Monday, 7th May 1866.

Names of the Members called over;—all present.

Mr. *O'Malley* applied that the Petitions of Mr. *Stubbs* and Mr. *Lever*, should be treated as one Petition.

Room cleared.—The Committee deliberated.—Parties called in, and informed that the Committee refused the application.

Mr. *Thomas Dillon*, sworn; examined by Mr. *Serjeant Ballantine*; cross-examined by Mr. *Blake*; cross-examined by Mr. *Coffey*; re-examined by Mr. *Serjeant Ballantine*.

Mr. *James Oranbee*, sworn; examined by Mr. *Inderwick*.

Mr. *Serjeant Ballantine* applied to the Committee for leave to amend the list, by striking out the name of John Redington, as the person alleged to have bribed the witness, and inserting in its stead the name of Thomas Fahy.

Mr. Coffey was heard against the application.

Mr. Serjeant Ballantine was heard in reply.

Room cleared.—The Committee deliberated, and determined to accede to the application, on the condition that the counsel undertook to give evidence of the agency of Fahy.—Parties called in, and informed thereof.

Mr. Patrick Needham, sworn; examined by Mr. Serjeant Ballantine; cross-examined by Mr. Blake; re-examined by Mr. Serjeant Ballantine.

Mr. Andrew Cass, sworn; examined by Mr. Serjeant Ballantine; cross-examined by Mr. Blake; cross-examined by Mr. Coffey; re-examined by Mr. Serjeant Ballantine.

Mr. Edward John Conneron, sworn; examined by Mr. Inderwick; cross-examined by Mr. Blake; cross-examined by Mr. Coffey; re-examined by Mr. Inderwick.

Mr. Michael Quatter, sworn; examined by Mr. Serjeant Ballantine; cross-examined by Mr. Rodwell; cross-examined by Mr. Coffey; re-examined by Mr. Serjeant Ballantine.

Mr. Elias Keary, sworn; examined by the Chairman.

Mr. Thomas Maddox, sworn; examined by the Chairman.

Mr. John Kivran was called in, and cautioned by the Chairman, that his conduct in having interfered with parties about to be examined as witnesses was most improper, and that if repeated the Committee would report him to the House.

[Adjourned to To-morrow, at Eleven o'clock.]

Tuesday, 8th May 1866.

NAMES of the Members called over;—all present.

Mr. Michael Duggan, sworn; examined by Mr. Inderwick; cross-examined by Mr. Rodwell; re-examined by Mr. Serjeant Ballantine.

Mr. Edward Murden, sworn; examined by Mr. Inderwick; cross-examined by Mr. Rodwell; cross-examined by Mr. O'Malley.

Mr. Walter Christopher Stansdow, sworn; examined by Mr. Serjeant Ballantine; cross-examined by Mr. Rodwell; re-examined by Mr. Serjeant Ballantine.

Mr. Serjeant Ballantine stated that that was his case.

Mr. Rodwell objected that there was not sufficient evidence of agency against Mr. Morris to render it necessary for him to call any evidence.

Room cleared.—The Committee deliberated, and decided that the case against Mr. Morris must proceed.

Parties called in, and informed thereof.

Mr. O'Malley upheld that the Petition of Mr. Nicholas Stubber should be heard before he was called on to commence his defence.

Mr. Montagu Chambers was heard against the application.

Mr. O'Malley was heard in reply.

The Committee determined to accede to the application.

Mr. Montagu Chambers opened the case in support of the Petition of Mr. Nicholas Stubber, and called the following witnesses:

Mr. John Morgan, sworn; examined by Mr. Ritten.

Mr. James Kane, sworn; examined by Mr. Ritten.

[Adjourned to To-morrow, at Eleven o'clock.]

Wednesday, 9th May 1866.

Names of the Members called over;—all present.

Mr. James Campbell, sworn; examined by Mr. Riddon; cross-examined by Mr. Coffey; re-examined by Mr. Riddon.

Mr. James Ormsbee, sworn; examined by Mr. Montagu Chambers; cross-examined by Mr. Rodwell; re-examined by Mr. Montagu Chambers.

Mr. John Hort, sworn; examined by Mr. Montagu Chambers.

The whole of the evidence given in the former Petition was taken as read.

Mr. Montagu Chambers stated that that was his case.

Mr. Rodwell addressed the Committee on behalf of Mr. Morris, one of the sitting Members, and called the following witnesses:—

Mr. Michael Morris, sworn; examined by Mr. Blake; cross-examined by Mr. Sergeant Ballantine; cross-examined by Mr. Montagu Chambers; re-examined by Mr. Rodwell.

Mr. Thomas Higgins, sworn, examined by Mr. Rodwell.

Mr. Rodwell summed up the case on behalf of Mr. Morris.

Mr. Sergeant Ballantine stated that it was not his intention further to press the case against Mr. Morris.

Mr. Montagu Chambers made a similar statement on behalf of Mr. Stubber.

Mr. Rodwell applied that the petitions of Mr. Nicholas Stubber and Mr. Orrell Lever, so far as they affected the case against Mr. Morris, might be held to be frivolous and vexatious.

Mr. Sergeant Ballantine was heard against the application.

[Adjourned to To-morrow, at Two o'clock.]

Thursday, 10th May 1866.

Names of the Members called over;—all present.

Mr. Sergeant Ballantine was further heard against the application that the petition of Mr. John Orrell Lever might be held to be frivolous and vexatious.

Mr. Montagu Chambers, on the part of Mr. Nicholas Stubber, was also heard against the application.

Mr. Rodwell was heard in reply.

Room cleared.—The Committee deliberated.

Resolved, "That the petition presented by John Orrell Lever, Esq., so far as relates to Michael Morris, Esq., is frivolous and vexatious."

Resolved, "That the petition presented by Nicholas Stubber, Esq., so far as relates to Michael Morris, Esq., is frivolous and vexatious."

Parties called in, and informed of the above Resolutions.

[Adjourned to To-morrow, at Eleven o'clock.]

Friday, 11th May 1866.

NAMES of the Members called overy—all present.

Mr. Sergeant Ballantine summed up the case in support of the Petitioner John Orrell Lever.

No Counsel appearing in support of the petition of Nicholas Stubbs,—

Mr. O'Malley was heard in reply on the whole case.

Room cleared.—The Committee deliberated.

Resolved, "That Michael Morris, Esq., is duly elected a Burgess to serve in this present Parliament for the Town of Galway."

Motion made and Question put, "That Sir Rowland Blennerhassett, Bart., is duly elected a Burgess to serve in the present Parliament for the Town of Galway—(Mr. Lawrence O'Shaughnessy).

The Committee divided.

Ayes, 4.
Mr. Hambury.
Mr. Francis Powell.
Mr. Lawrence O'Shaughnessy.
Mr. Hassey Vivian.

Noe, 1.
Mr. Reginald Yorke.

Resolved, "That Sir Rowland Blennerhassett, Bart., is duly elected a Burgess to serve in the present Parliament for the Town of Galway."

Resolved,—

"That it was proved to the Committee, that John Dillon received 5*l*. from John Kirwan.

"That James Mallon received 5*l*. from Michael O'Brien.

"That Patrick Nodden received the value of 5*l*., in clothes and money, from John Kirwan.

"That Andrew Cogan received 5*l*.

"That John Gurrage, Peter Gurrage, John Barrett (senior and junior), Geoffrey Murphy, Benjamin Matthews, Michael Curran, and other voters, received the value of 5*l*. in money and bread stuffs from James Power Keane, on account of having voted for Sir Rowland Blennerhassett, Bart."

Resolved, "That it was not proved to the Committee that such bribery was committed with the knowledge or consent of Sir Rowland Blennerhassett, Bart., or his agents."

Resolved, "That the Committee have reason to believe that corrupt practices have extensively prevailed at the last election for the Town of Galway."

Patres called in, and informed of the decision of the Committee.

Ordered, That the above Resolutions, together with those agreed to yesterday, be reported to the House.

MINUTES OF EVIDENCE.

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MINUTES OF EVIDENCE.

Saturday, 5th May 1866.

HENRY HUSSEY VIVIAN, Esq., IN THE CHAIR.

Mr. JAMES ZWINGER was called in; and, having been sworn, was Examined by Mr. *Jaskiewicz*, as follows:

1. YOU are a Clerk in the Crown Office?—Yes.
 2. What was the date of the election for the borough of Galway, and who were returned?—The indenture is dated the 17th of July, and Michael Morris and Sir Rowland Blennerhassett appeared to have the majority.

3. Does it appear that the date of the election is the 17th of July?—That is the date of the indenture.

Mr.
J. Zwinger.
 5 May 1866.

[The Witness was directed to withdraw.]

Mr. RALPH SMITH CURALE was called in; and, having been Sworn, was Examined by Mr. *Jaskiewicz*, as follows:

4. ARE you Clerk of the Hanaper?—I am.
 5. Do you produce the poll books of the last election for Galway?—I do; there are five books.

take this formal evidence, as given in the case of Mr. Stubber's petition also.

Mr.
R.S. Casach.

The *Chairman* stated, that the Committee would pursue that course.

Mr. *Montagu Chambers* said, that perhaps the Committee would be kind enough to

[The Witness was directed to withdraw.]

Mr. FLAN JAMES KEANY was called in; and, having been sworn, was Examined by Mr. *Jaskiewicz*, as follows:

6. WHAT are you?—I intend to go to the profession of an Attorney.
 7. Do you reside at Galway?—Yes.
 8. By the Committee.] What is your profession now?—I have no profession now.

16. Then, there are about 120 freeholders and something over 500 ratepayers?—Yes.

Mr.
F.J. Keary.

9. Are you articled to an attorney?—I was at Mr. Doulton's many years; I did business for him for 20 years in the town of Galway; I was doing business for him as an assistant.

17. Do you know whether there is any agent for election expenses in Galway?—The sheriff did not appoint any auditor.

10. Mr. *Jaskiewicz*.] Do you live at Galway?—I do.

18. Were you in Galway in 1859?—I was.

19. At the time of the election?—Yes.

20. Was Mr. Leaver then returned at the head of the poll?—He was.

21. Do you know Mr. Morris who contested the election last time?—I do.

22. Have you known him for some time?—I have.

23. Did you see him in the town previous to the election?—I did.

24. For how long?—I saw him some months before the election commenced.

25. Was he canvassing the electors?—He was.

26. Did Mr. Leaver and Mr. Stubber also canvass the electors?—They did.

A

27. By

11. How long have you lived there?—It was there I was born.

12. Are you a voter?—No.

13. Are you well acquainted with the constituency of the town?—I am.

14. It appears to consist of three classes, freemen, freeholders, and rated occupiers?—Yes.

15. Do you know how many freemen there are?—Something over 200; I think there are about 600 freemen.

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Mr.
F. J. Keary.
5 May 1896.

27. By the *Committee*.] Was it at the same time or some months before?—Some few weeks before; Mr. Lever and Mr. Stubbler both canvassed; Mr. Stubbler was before Mr. Lever.

28. Did you know Sir Rowland Blennerhassett?—Never until I saw him at Galway at the election.

29. Do you know whether he comes from the county of Galway at all, or where he lives?—I believe not; I think it is from the county of Kerry that he came, at least I heard so.

30. How long had Mr. Morris been canvassing before Sir Rowland Blennerhassett came?—Some months before.

31. How long before the day of the election did Sir Rowland Blennerhassett come to the town?—I should say about three weeks, as well as I could recollect.

32. Do you mean before the day of polling?—Before the day of polling.

33. Mr. *Jedermann*.] Where was Mr. Morris's committee room?—He had no committee room, I think; he had one room opposite the post-office for his friends; I think there was a placard on Mr. Blake's house which he had taken, which said, "Mr. Morris's room," but the word "committee" was not upon the placard; he had rooms where his voters went in and out.

34. By the *Committee*.] How many of those rooms had he?—One.

35. Then he had not "rooms," but one room?—He had taken the house altogether.

36. Was there only one room in the house?—No.

37. Mr. *Jedermann*.] You say that Mr. Morris had one room?—He had the house which he had taken.

38. Do you say that there were rooms where Mr. Morris's voters came to?—Yes; he had a house just adjoining the post-office in Saint Francis-street.

39. Who kept that house; whose house was it?—The house belongs to Mr. Blake.

40. Do you know the house kept by Mr. Brady?—I do.

41. Do you know whether that was the house at which Morris's voters used to go in and out; have you ever seen Morris's voters in Brady's house?—I saw them going in and out there, of course.

42. What house is that of Brady's?—That is a house in the very same street, Saint Francis-street.

43. Is it a private house?—It is a private house.

44. Do you know a man of the name of Hughes?—I do.

45. What is Hughes?—A grocer and publican.

46. Mr. *Rodwell*.] What is his Christian name?—John B. Hughes.

47. Does he deal in spirits?—He does.

48. Where is his house?—His house is situated on Prospect Hill.

49. Have you seen Morris's voters go in and out of his house?—

Mr. *Rodwell* objected to any person being described as "Morris's voters," unless they were proved to be so.

50. Mr. *Jedermann*.] Did you see persons, during the course of Mr. Morris's canvass, going in and out of Hughes's house?—I did, sir.

51. Do you know who those persons were?—Well, I cannot recollect the whole of them.

52. Can you recollect some of them?—I saw a man of the name of Murthy Faherty.

53. Who did he vote for?—Well, I cannot say who he voted for.

54. Can you say the name of some other person that you saw going in and out of the house?—I saw another person, of the name of Joe Sargent going in there.

55. Do you know who he voted for?—I heard that he voted for Mr. Morris.

56. Give us the name of some other person whom you saw going in and out there?—I saw another person, of the name of Michael Cook, and there were many others that I do not recollect.

57. Do you know that some of these "many others" of whom you have spoken were voters?—I do.

58. Do you know whether Hughes canvassed at all?—

59. Mr. *Rodwell*.] Did you see him canvassing?—I did, sir; I knew him to be actively engaged for Mr. Morris, and he was an agent of Sir Rowland Blennerhassett.

60. Repeat your answer?—I say that he was a very warm supporter of Mr. Morris, but he was the known and public agent of Sir Rowland Blennerhassett.

61. Mr. *Jedermann*.] Did you ever see Mr. Morris at his house?—I saw him leaving his house.

62. Mr. *Rodwell*.] Do you mean at the time of the election?—Yes.

63. Did you see that more than once?—Only once.

64. Mr. *Jedermann*.] Do you know a man of the name of Brady?—I do.

65. John Brady?—Yes.

66. Is he a builder?—Yes.

67. Did you see persons going in and out of Brady's house at the time of the election?—I did.

68. Where is Brady's house?—Brady's house is in Saint Francis-street.

69. Have you seen persons coming out of Brady's house about the time of the election; have you seen John Glynn?—I saw a great number of voters going down as soon as the poll commenced, at eight o'clock.

70. By the *Committee*.] Are you talking of the polling day?—Yes.

71. Have you been talking of the polling day when you said these people left the different houses?—That was some days before the polling day.

72. Now you have got to the polling day?—Yes.

73. Mr. *Jedermann*.] You say at this moment you saw Glynn and other voters coming out of Brady's house on the day of the election?—Going down to the back gateway; going to the rear of Brady's house.

74. That was on the day of the polling?—Yes.

75. Had you seen them before the day of the polling came in and out of that house?—I did.

76. That is during the canvass?—Yes.

77. By the *Committee*.] Did that back passage lead to any other house besides Brady's house?—Not that I know of.

78. Do you know that it does not?—There is another house adjoining it, and there might be a wall through which they might get into the other yard.

79. Mr.

79. Mr. *Indersieck*.] Did you see John Glynn coming from the house during the canvass?—I saw him going there on the polling day.

80. Do you know a man of the name of Patrick Mahoney?—I do.

81. Have you seen him there?—I have.

82. Have you seen him during the canvass coming from the house, or on the following day?—I did not see him during the canvass; I saw him in the morning of the polling day going down to Brady's yard; that is, to the back entrance behind Brady's house.

83. Do you know Michael Green?—I do.

84. What is Michael Green?—He is a tinman, I think, by trade.

85. Is he a freeman, or what?—He is a freeman.

86. Have you seen him there?—I saw him going down that morning.

87. Not during the canvass?—No; on the morning of the election.

88. Have you seen John Welch; do you know him?—I do.

89. What is he?—He is a freeman.

90. Did you see him there?—I did.

91. Was that during the canvass, or on the day of the polling?—The day of the polling.

92. Only on the day of the polling?—Only.

93. On the day of the polling, when you say you saw these persons, were they coming from Brady's house together?—They were going down all together, because they were polling.

94. Did they come from the house together; that is, did they come out of the house together?—After they had polled, on leaving the polling place, they went down to Brady's house; there was a back gate, and no one was let in just immediately after nine o'clock; the polling commenced at eight.

95. By the Committee.] This was a gateway to Brady's house?—Yes.

96. After nine o'clock these persons were not permitted to go in at the gateway, you say?—No.

97. Who prevented them?—I cannot say.

98. How could you have seen them going down the entrance, if they were not permitted to go down?—I am sure I saw them going down from the court-house.

99. Towards Brady's house?—Yes.

100. I mean down this entry, if they were not permitted to go down?—There was no entry; there was a passage going down the back way to Mr. Brady's house.

101. In the nature of a street?—Yes; a bye street.

102. Off that passage there was a gate, probably?—Yes.

103. Was it into that gate that they were stopped from going?—Yes.

104. It is merely an inference of yours that they intended to go to Brady's house?—I saw some of them being allowed in.

105. That was previous to their being stopped?—Yes.

106. Who did you see allowed in?—I saw Welch.

107. By the Committee.] Were you standing watching to see them go in?—I suspected that the bribery—

108. Mr. O'Malley.] Nevermind that.—I am answering the gentleman.

109. By the Committee.] You were standing there?—I was.

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110. For sometime?—I was.

111. At this particular gate?—No; I was up in the grand jury room, where the polling was going on, and I saw them from the window, and I called Mr. Lever's attention to it.

112. Mr. *Indersieck*.] About nine o'clock these voters wanted to get down to Brady's house, and they could not get there; was it afterwards that you saw Welch going in?—No, it was before that.

113. Before that, had you seen any of the others, whose names you have mentioned, going in?—I did not take particular notice.

114. Did you see any of them, after they came out of Brady's house, that day?—I did.

115. Did you see anyone go into Brady's house that day, except Welch?—Yes, I saw a good many, at eight o'clock in the morning, going in; but I could not give you their names.

116. You have mentioned John Glynn, Patrick Mahoney, Michael Green, and John Welch; I want to know whether you saw anyone go in or come out of Brady's house, except John Welch?—I saw Mahoney.

117. At what time of the day?—Shortly after eight o'clock.

118. In the morning?—In the morning.

119. Did you see Green out at all that day?—I saw him go down there; but I cannot say whether he went in or not.

120. Did you see either Welch or Glynn shortly after they came out of the house; did you see them come out?—I saw Glynn some days after the election.

121. Did you see him come out of the house?—I saw Glynn coming out of the house.

122. Did you see whether he had anything in his hand?—No, I did not.

123. By the Committee.] When did you see him coming out of the house?—In the morning of the polling day.

124. Before or after nine o'clock?—I think before nine o'clock, so far as I recollect.

125. Mr. *Indersieck*.] When he came out, what did he say to you?—He told me that he had got 5 l.

[The Witness was directed to withdraw.

Mr. *Redwell* objected to the question, and to the answer being received.

Mr. *Coffey* was heard in support of the objection.

Mr. *Indersieck* was heard against the objection.

Mr. *Redwell* was heard in reply.

The *Chairman* stated, that the Committee would receive the evidence for what it was worth; but they hoped that this class of evidence would not be carried too far.

The Witness was called in, and the examination was resumed as follows:

126. Mr. *Indersieck*.] Did he say what he got the 5 l. for?—

Mr. *Redwell* again objected to the question.

Mr. *Indersieck* stated, that the witness had been interrupted in the answer which he had intended to give, and therefore perhaps the

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the Committee would allow him to finish the answer.

The *Chairman* stated, that the Committee thought the answer might remain as it had been given.

127. *Mr. Anderwick.*] Did Welch say anything to you when he came out?—No.

128. *By the Committee.*] Is the name Walsh or Welch?—Welch.

129. Is it Martin Welch?—No, John Welch.

130. *Mr. Anderwick.*] Did you see any of those persons with money in their hands on the day of the election?—No, I did not.

131. Were there any committee rooms at Brady's house?—There were.

132. Whose committee room was there?—Sir Rowland Blennerhassett's.

133. Do you know a man of the name of John Pearce?—Yes.

134. Does he keep a public-house?—He does.

135. Where does he live?—At the time of the election he lived in William-street.

136. What is he?—A publican and a grocer.

137. Did you see him canvassing?—I did.

138. For whom did he canvass?—

139. *Mr. Rocheford.*] Did you hear him canvassing?—I did; I heard him canvass the freemen.

140. *Mr. Anderwick.*] For whom did you hear him canvass?—For Sir Rowland Blennerhassett and for Mr. Morris.

141. You say that he is a publican; during the canvass did you see persons come in and out of his house?—I did.

142. Will you give us the names of the persons you saw coming in and out of his house?—It would be impossible to give you all the names I saw there.

143. I want the names of the voters, not those who were not voters?—I saw John McLoughlin, a freeman, going in there.

144. Did you see any one else besides John McLoughlin?—I saw Michael Duggan, and many others that I cannot recollect.

145. Just give us the names of any other voters that you saw coming in and out of this house during the canvass?—I cannot at the moment recollect them, there were a great many of them going in there.

146. On the day of the polling, did you see any voters coming in and out of this house?—I saw Duggan, in the evening, going into Mr. Pearce's house.

147. Do you know a man of the name of John Kirwan?—Yes.

148. What is he?—He is a pawnbroker.

149. Did he take any active part in the election?—He did.

150. Did you see or hear him canvass?—I saw him canvass amongst the voters.

151. For whom?—For Sir Rowland Blennerhassett.

152. Did he canvass for Sir Rowland Blennerhassett, or for Mr. Morris?—He was a great supporter of Mr. Morris, and a great friend of his.

153. Do you know a man of the name of Curran?—I do.

154. *By the Committee.*] What is his Christian name?—Michael.

155. *Mr. Anderwick.*] What is Michael Curran?—He carries on a shoe-making business at Davinick-street.

156. Did he take any active part in the election?—He did.

157. Did you see him canvassing?—I did.

158. For whom?—For Sir Rowland Blennerhassett, and he was bringing up voters for Mr. Morris also.

159. Did he bring up voters for Mr. Morris as well as for Sir Rowland Blennerhassett?—He did; the voters he brought up voted for both Mr. Morris and Sir Rowland Blennerhassett.

160. Do you know John Oliver?—I do.

161. What is he?—He is a baker, and he keeps a bakery establishment in Galway.

162. Did you see him canvassing?—Well, I did not see him canvassing; I know he was interested for Mr. Morris.

163. Tell us what you saw him do, if you saw him do anything?—I did not take any particular notice of what he was doing, I know that he was a great friend of Mr. Morris, and wherever he was going he was soliciting the voters in favour of Mr. Morris.

164. Do you know a man of the name of John Pearce?—I mentioned that before.

165. What is John Pearce?—I have told you before.

166. Is he a publican?—Yes.

167. Do you know Mr. James W. Connamen?—I do.

168. Was he the solicitor for Sir Rowland Blennerhassett?—I could not say that.

169. What is he?—He is a solicitor.

170. Did he take part in the election?—He did.

171. Did you see him with either of the sitting Members?—I saw him with Sir Rowland Blennerhassett and his agent; he was most active for him in the street.

172. Did you see him with Sir Rowland Blennerhassett and his agent during the time of the canvass?—Yes, during that time.

173. Was that when Sir Rowland Blennerhassett was canvassing the constituency?—Yes.

174. Did Sir Rowland Blennerhassett canvass any portion of the constituents personally?—He did; he had Mr. Thomas Kyle with him, and young Mr. Reddington, and old Mr. Reddington.

175. *By the Committee.*] He had them with him canvassing?—Yes, along with him canvassing.

176. What were the other names of the gentlemen?—Mr. John Reddington, senior, and Mr. John Reddington, junior, Mr. Thomas Kyle, and Mr. Lynch.

177. *Mr. Anderwick.*] Do you know a person of the name of Stanton?—Yes, Edward Stanton.

178. What is he?—He is an upholsterer.

179. Did he take an active part in the election?—He did.

180. Did you see him canvassing anyone?—I saw him very busy the morning of the election bringing up voters.

181. On the day of the polling?—Yes.

182. For whom did he bring them up?—For Sir Rowland Blennerhassett.

183. Did he bring up any for Mr. Morris as well?—I think he appeared to me to be acting altogether for Sir Rowland Blennerhassett.

184. Do you know which way they voted; did you hear them give their votes?—They voted for Mr. Morris.

185. *Mr. Rocheford.*] Did you hear them give their votes?—I did.

186. Mr. Jaderwick.] Who did they vote for?—Mr. Morris and Sir Rowland Blennerhassett.

187. I do not know whether you mentioned the name of John Brady; you mentioned several names just now: did you mention the name of John Brady?—Yes.

188. Do you know a man of the name of Higgins?—No, unless you mean Thomas Higgins.

189. What is he?—A solicitor.

190. Did you see him taking part in the election?—He was, I believe, conducting agent for Mr. Morris.

191. Did you see him canvassing?—No, I did not.

192. By the Committee.] What do you mean by "conducting agent"?—He was the principal person conducting the election.

193. Mr. Jaderwick.] Did you see him canvassing?—I did not.

194. Did you see him with Mr. Morris or Sir Rowland Blennerhassett during the canvass?—I saw him with Mr. Morris, but not with Sir Rowland Blennerhassett.

195. Did you see him with Mr. Morris at the time Mr. Morris was canvassing the constituents?—No, he was not with him.

196. When was it that you saw him with Mr. Morris?—A day or two before the polling commenced.

197. Where was he?—Down near the Court House in the Square; I saw them together walking; he was outside the Court House.

198. Was anyone else there?—There were a great number there; I could not say exactly who.

199. Did you see him on the day of the polling?—I did.

200. Was he interfering in any way with the election on the day of the polling?—No, he was not.

201. Did you see with whom he was on the day of the election?—He was with Mr. Morris.

202. By the Committee.] All you know of Mr. Higgins is that you saw him once with Mr. Morris on the day of the polling?—Yes; during the polling, I saw him at the polling rooms, and Mr. Morris was speaking to him.

203. Mr. Jaderwick.] You have made use of the term "conducting agent"?—Yes.

204. What led you to think he was conducting agent?—He had the appointment, I was told, of the different agents in the booths.

205. Is it from what you heard from other persons that you say that?—Yes, it is from what I heard from other persons.

206. By the Committee.] Is this the same Mr. Higgins that is put down as an agent for Mr. Morris?—Yes, it is the same.

207. Mr. Jaderwick.] Did you know a man of the name of Burke?—I do not know who you mean.

208. Do you know a man of the name of William Murray?—I do.

209. What is William Murray?—He is a merchant in Galway.

210. Was he actively engaged in the election?—I saw him on the nomination day in the box with Sir Rowland Blennerhassett.

211. In what box?—In the box where the polling candidates were, on the day of the nomination.

212. Did you see Mr. Murray canvassing?—No, I did not.

274.

213. Did you see him bringing up any voters?—No.

214. On whose behalf did he take an active part in the election, as you have said?—On behalf of Mr. Morris and Sir Rowland Blennerhassett.

215. By the Committee.] If you did not see him canvassing or bringing up voters, what do you mean by his taking an active part?—I saw him in constant communication with both the gentlemen.

216. Mr. Jaderwick.] Do you know a man of the name of Patrick Griffin?—I do.

217. What was Patrick Griffin?—He was acting for Sir Rowland Blennerhassett.

218. What is he?—He is in the capacity of a gentleman, I should say now.

219. Where does he live?—He lives at Byre-square.

220. Did you see him taking any active part in the election?—I did.

221. On which side?—On Mr. Morris's side and Sir Rowland Blennerhassett's.

222. What did you see him doing for them?—I saw him bringing up two voters; I saw him bringing up several voters, but two especially.

223. Then I may take it, that you saw him bringing up two voters; do you mean that he brought them up to the poll?—Yes.

224. Did you hear them vote?—I did.

225. For whom did they vote?—For Sir Rowland Blennerhassett and for Mr. Morris.

226. Do you know a man of the name of Patrick Joseph Kelly?—I do.

227. What is he?—A solicitor; he was acting in the booths as an agent.

228. Was he actively engaged as an agent?—He was acting in the booth as an agent.

229. That would be on the day of the polling?—Yes.

230. For whom was he acting?—I cannot say whether for Mr. Morris or for Sir Rowland Blennerhassett, but for either of them, I cannot say distinctly which.

231. By the Committee.] You know he was acting for one or the other, but you do not know for which?—Yes.

232. Mr. Jaderwick.] Do you know Richard Carter?—I do.

233. What is Richard Carter?—He is deputy Clerk of the Peace for the county of Galway.

234. Do you know whether he is in any way connected with Lord Clanricarde?—He receives rents from the tenants, for property in the town of Galway.

235. Do you know Thomas Fahy?—Yes.

236. What is he?—He is a publican and a grocer.

237. Did he take part in the election?—He did.

238. For whom?—For Sir Rowland Blennerhassett.

239. You say that he is a publican and a grocer; during the time of the canvass, did you see persons coming in and out of his shop?—I did not take notice of him until the morning of the election; that was all I saw of Mr. Fahy.

240. By the Committee.] You saw people going into his shop on the morning of the election?—No; I saw him at the booth-room, bringing up voters for Sir Rowland Blennerhassett; I saw him very active for Sir Rowland Blennerhassett.

241. Mr. Jaderwick.] He was active in doing what; in bringing up voters for Sir Rowland Blennerhassett?—Yes.

A 3

242. Did

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Mr. *F. J. Keary*. 242. Did you hear any of these persons vote?
—A man of the name of Sullivan.
243. He brought up Sullivan, did he?—Yes.
5 May 1895 244. By the Committee.] You heard Sullivan vote?—I did.

245. Mr. *Inderwick*.] For whom did Sullivan vote?—For Mr. Morris and Sir Rowland Blennerhassett.

246. Well, now, with respect to the treating list?—

Mr. *Redwell* objected to the treating list being acted upon at all, on the ground that the places and the times at which the alleged treating took place was too generally and vaguely stated.

Mr. *O'Malley* was heard in support of the objection.

Mr. *Inderwick* was heard against the objection, and contended that the list was sufficiently specific to bring it within the resolutions of the Committee; but offered, if the Committee desired him so to do so, to make the allegations more explicit.

Mr. *Redwell* was heard in reply on behalf of Mr. Morris; but stated that he would withdraw the objection. He would, however, ask the Committee to bear in mind, that his learned friend (Mr. *Inderwick*) had stated, that he should prove treating by Mr. Morris between the 13th of May and the 18th of July, and if he failed to do this, he (Mr. *Redwell*) should ask the Committee to give Mr. Morris all the expenses and costs of the inquiry relating thereto.

Mr. *O'Malley* was also heard in reply, on behalf of Sir Rowland Blennerhassett, and maintained the objection.

The room was cleared. After some time, counsel, agents, and parties were called in, and informed by the Chairman that the Committee were unanimously of opinion that the treating list did not comply with the 5th resolution, as regarded the times at which the treating was alleged to have taken place.

Mr. *Inderwick* then applied for leave to amend the particulars of the list, and to restrict the time of the alleged treating to within any period the Committee should think proper. He suggested that the 1st of July should be the day limited, the election having taken place in July.

Mr. *Redwell* was heard against the application.

Mr. *O'Malley* was also heard against the application.

Mr. *Inderwick* was heard in reply; but stated that he was unable to give sufficiently specific dates, because the Irish agent had not yet arrived, and had not, therefore, supplied the requisite information.

The room was cleared. After some time, the counsel, agents, and parties were called in, and informed by the Chairman that the Committee declined to allow the list, in this case, to be amended.

Cross-examined by Mr. *Redwell*.

247. You seem to have drawn a distinction between Mr. Morris's proceedings and Sir Rowland Blennerhassett's. I will ask you a few questions with regard to Mr. Morris; on what occasion do you say that you saw him canvassing in Galway?—I saw him some months before the election.

248. When you use the phrase which my friend has employed very often, "During the canvass," am I right in understanding you to mean several months before the election, or just at the period of the election?—Before the election.

249. How long before the election?—About two or three months before the election.

250. Now, I put this question to you distinctly: do you know or recollect any occasion on which you saw Mr. Morris canvassing either alone or with anybody else, within a week of the day of the election?—He was canvassing always alone, and by himself.

251. I did not ask you whether alone or with anyone else, but whether it was during the week previous to the election; did you see him canvassing alone or with anyone else during that week?—No.

252. You know Mr. Morris very well, I dare say?—I do.

253. My friend Sergeant Ballantine did not give us the figures, but do you know that he was returned at that election by a very large majority?—He was.

254. Did not you know also that the struggle at that election was for the second place, that is, for the candidate who would come in second?—I believe so.

255. Do you not know that there were a great many who split their votes between him and Sir Rowland Blennerhassett, and that there were many who split their votes between him and Mr. Lever also?—There were.

256. Did you attend any canvassing yourself?—I did.

257. For whom did you canvass?—For Mr. Lever.

258. Will you tell me, when you canvassed a voter, in what form did you put the question for his vote?—I asked him to vote for Mr. Lever.

259. What did you say about Mr. Morris?—Nothing.

260. You only asked for a single vote?—Merely.

261. Did you not find it a fact that when you canvassed for Mr. Lever, all, or almost all, the voters had promised their first vote for Mr. Morris?—A good many of them had.

262. You asked for the second vote, I suppose?—I did, sir.

263. I do not understand you to say that you saw Mr. Higgins do anything during the election?—No, I did not.

264. With regard to the committee room, I wish to set that matter right; did you see anything like a placard or a committee room, or any of the ordinary signs of a committee room, at that house which you speak of?—No; it merely said, "Mr. Morris's room."

265. Not "committee room"?—No.

266. Do you know, as a fact, whether Mr. Morris had a committee room or not?—I believe he had not.

Cross-

Cross-examined by Mr. Coffey.

267. I understand you to say that you were no voter yourself?—No.

268. In what capacity did you act?—I was always a great supporter or friend of his.

269. In what capacity did you act for him during the election?—As a friend.

270. As a paid or a gratuitous friend?—I did not get a farthing.

271. Not a farthing yet?—Not a farthing yet.

272. I presume you have a lively hope for future favours?—I expect no favours from Mr. Lever.

273. You have a little expectation?—I have no expectation.

274. You are a gentleman without expectations?—From him.

275. Were you ever employed by Mr. Lever peculiarly?—Never.

276. Have you never received any money from him at all?—Never.

277. But you are a great friend of his?—Yes.

278. You are patriotic; now, you said that Mr. Morris had some apartments or some house upon which "Mr. Morris's rooms" was printed on a placard?—Yes.

279. Was not that exactly the same with respect to Sir Rowland Blennerhassett?—No.

280. Will you undertake to say that there was a "committee room" on any building of Sir Rowland Blennerhassett's?—I saw it printed on the room, "committee."

281. Will you undertake to say to the Committee that there was printed upon it, "Sir Rowland Blennerhassett's committee room"?—Yes; it was printed on a placard and a sign-board.

282. How were you occupied during the day of the election, during the polling day?—I was going through all the booth, and generally looking on.

283. Let me understand you?—And I was getting as many votes as I could for Mr. Lever.

284. You were taking charge of the voters for Mr. Lever?—Yes.

285. You were very active during the day?—I was.

286. Bringing up his voters?—Yes.

287. Was that your exclusive duty?—No.

288. What other duties were assigned to you?—No duty was assigned to me; I did what I liked.

289. What did you appoint yourself to do?—I was attending generally; I was continually looking on and bringing up the voters.

290. How did you occupy yourself in attending generally?—I was seeing that the voters' cards were properly filled up, and that they were brought up by me to vote.

291. When was that?—In the early part of the morning.

292. Those were cards for Mr. Lever?—Yes.

293. Were you in his committee room?—I was in the morning.

294. From what time to what time?—I was there in the morning from four o'clock to seven.

295. From four o'clock to seven in the morning?—Yes.

296. Where did you go then?—I went up to the polling booths.

297. How many were there?—There were five.

298. Were they all within the same building?—They were.

299.

299. And then, I presume, you went through these booths looking generally after Mr. Lever's interest, and the voters?—Yes.

300. Were you Mr. Lever's agent?—No.

301. Are you sure of that?—I am.

302. You do not think that looking after his interests, filling up his cards and going about his booths in the, I will not say, officious, but efficient manner that you were doing, would make you his agent; you would be surprised to be called an agent of his?—They may do so if they like.

303. But you were not his agent?—No, I was not.

304. With regard to this passage where there was a back way leading to Brady's house; you were not at the gate at all?—No.

305. As I understand your evidence, you were in the Court House?—I was in the Grand Jury room upstairs, and I saw from one of the windows the people rushing down.

306. Is not this a correct description of what you could see from that window: that you saw groups of persons passing down in the direction of what you knew was a gate?—Yes.

307. How far is that court house from the window of which you were looking, to where you supposed that there was a gate?—About 50 yards.

308. From the window that you were looking through, could you see the gate?—I could.

309. Now, I ask you upon your oath, are you able to distinguish or tell the Committee, beyond the risk of mistake, the name of a single voter that you saw passing through what you have described as a gate?—I am.

310. On your oath?—I am.

311. Which of these voters was it?—The man named Welch and a man of the name of Glynn.

312. How many Welchs voted that day at the Galway election?—I could not say.

313. How many Welchs are there that are voters?—I could not tell you that either.

314. Are there not more than half a dozen?—I believe that there are.

315. Now tell me, Mr. Keary, can you, beyond the risk of mistake, tell me of a second voter whom you saw pass through what you have described as a gate?—John Glynn.

316. You swear that?—Yes, and that gentleman sitting to your left was there too; that barister.

317. Tell me, Mr. Keary, do you mean to regret that this gentleman was engaged as you suggested?—No, I do not say any such thing; but I saw him very active.

318. Then reserve your observations, unless you want to insinuate anything?—No; I do not want to insinuate anything.

319. It is unnecessary, unless you wish to make a charge?—I have no charge at all to make, but I saw him about Mr. Brady's door.

320. Who are you speaking of?—That gentleman by your side.

321. Do you mean to convey any such insinuation against him?—No; I do not.

322. Then hold your tongue about him, because it does not assist the Committee. I believe everybody in Galway, from the highest to the lowest, took an interest in the election?—They did.

323. Everybody exerted himself for his friend?—No doubt.

324. You for your friends?—Yes.

325. And a great many gentlemen of position and

Mr. F. J. Keary. and character exerted themselves for their friends, Mr. Morris and Sir Rowland Blennerhassett?—Yes.

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326. And from your experience, is it not the fact, that whenever a candidate goes about to see his constituents or to canvass for votes, he is surrounded by an idle, but an anxious crowd; is not that so?—It is.

327. I believe I am correct in saying that there was a very strong feeling in favour of Mr. Morris and Sir Rowland Blennerhassett?—Not for Sir Rowland Blennerhassett.

328. You think there was no feeling for him; will you say that, Mr. Keary?—I say that the great bulk of the people was for Mr. Morris and Mr. Lever.

329. Allow me to ask you, amongst the leading voters of the town; you know what I mean?—Yes.

330. Amongst the gentlemen of substance, and position and experience, shopkeepers, and all; was not the feeling generally in favour of Sir Rowland Blennerhassett, as well as Mr. Morris?—No.

331. You think not?—I am sure of it.

332. Were you at the court house the day of the show of hands?—I was.

333. Was the show of hands in favour of your friend, Mr. Lever?—No; it was not.

334. Now, I ask you this question, of course not in disparagement of Mr. Lever, but was there not a very strong feeling against Mr. Lever?—No.

335. You think not?—I do.

336. Give me leave to ask you, with regard to this public-house, what is the name of the man who keeps it, is it not Hughes?—Yes.

337. When did you leave Galway?—A month next Tuesday.

338. Are you here all this time?—Yes, I am.

339. The whole of this time?—Yes.

340. You were brought over specially?—No, not specially.

341. Well, generally, are you “conducting agent” on this occasion?—No.

342. You only assist?—Yes.

343. You get up the evidence?—Well.

344. Is not that the fact?—Yes.

345. May I ask you what hotel you have patronised since you have been here?—Since I came to London?

346. Yes?—I am stopping with Mr. Stubber.

347. You have another friend then; you have two strings to your bow; are you to be called when Mr. Stubber’s petition comes on?—I suppose so.

348. Where is it you are staying; you have told me the name of the gentleman, but you have not told me where you are to be found when you are wanted?—Twenty, Beesborough-gardens, Pimlico.

349. Had you any other reason for coming over here a month ago, so soon before this Committee was struck, except your anxiety to get up the evidence?—I had.

350. I will not ask you if you object to answer the question?—I do not object to answer the question.

351. Then just tell us?—It appears that the opposite party got a man in Galway to process me.

352. Did an opposite party oblige you to owe

the money for which you were processed?—Compel me to owe money? of course not.

353. When a man, generally speaking, owes money and does not pay, it is usual to process him?—It was a debt of six years, and they thought to prevent me coming over here to attend the Committee; the debt was a debt of six years; I was living in the town of Galway, and no application had been made to me until this process; I even served a notice demanding a jury under the statute, and the barrister who heard the case, being a partisan, refused to try it by the proper jury, and tried it by three of them; I even made an affidavit for the purpose of postponing the case, and he refused it.

354. Very well, Mr. Keary; are you an attorney?—No.

355. How far have you gone upon the road?—I know a good deal of the business; I was 20 years doing business for Mr. Duglton.

356. How far have you got on the road to make yourself an attorney; have you been bound apprentice?—No.

357. Are you an articled clerk in any way?—No.

358. You have not commenced to get on the road at all yet?—Some time ago you called me a clerk, and I distinctly say that I am not an attorney’s clerk.

359. How do you get your livelihood?—Well, I have very respectable connections in both the county and the town of Galway, as Mr. Morris is aware; do you see that now?

360. I must come back again to the question I asked you before; you left Galway about a month ago?—Yes.

361. I would ask you the name of this public-house that you saw the people coming in and out of; what is the name of it?—Hughes’s.

362. Is it a remarkable thing, during an Irish election, and particularly during a Galway election, to see people going in and out of public houses?—No.

363. By the Committee.] Was it Mr. Hughes’s or Mr. Brady’s public-house?—No, Mr. Hughes’s; Brady’s was another house; he lives quite convenient to me.

364. Mr. Coffey.] You said it was not an unusual thing, and I may take it that it is a very common practice, for voters, and persons who are not voters, to go in and out of public-houses during a Galway election?—It is.

365. It is a thirsty time, is it not?—Yes.

366. The weather was warm at that time of the year?—It was.

367. How often did you go in and out, yourself, of any public-house in Galway during the election?—Is it for the purpose of drinking, you mean?

368. There is *prima facie* evidence against such a supposition, as that?—Although my face may have that appearance, I am not the man to do that sort of thing.

369. I am really not asking you this question to offend you, but you do occasionally go and take a drop, do you not?—A very small share; I am not in the habit of drinking. I can tell you, and everyone in Galway knows it; I say it in the hearing of many persons who know me; you never saw the sign of a drop of spirit in me, and as to being tipsy, I never was tipsy.

370. I do not impute it; you did go in and out during the day, did you not?—Which day?

371. The

371. The polling day?—Do you mean into a public-house?

372. Yes?—No, I did not.

373. Not the whole day?—No.

374. You swear that?—I do, distinctly.

375. What was the public-house that Mr. Lever's voters went in and out of?—He had no public-house to my knowledge; I believe not one of them in the street did get so much as a drop of water, which was very bad treatment.

376. Tell me this, Mr. Keary, was Mr. Brady's house the place at which you say Sir Rowland Blennerhassett's placards were, of the committee-rooms?—That is his house.

377. Whose house?—Brady's house.

378. You say, on that house there were placards of Sir Rowland Blennerhassett's committee room?—Yes, distinctly; and, in addition to the placards, there was a sign with the name over it, printed on it.

379. What was the sign?—Sir Rowland Blennerhassett's committee room, printed on the board over the hall door.

380. Did you ever see a committee room in which the voters and friends, supposing it was a committee room, of the candidate, were not continually going in and out?—No doubt of it.

381. There is nothing extraordinary in that?—No.

382. Is not that the very place that the friends would congregate; the voters and persons in his interest would go in and out of, like a flock of sheep?—Yes.

383. Did you see any place where Mr. Lever had a committee room and his friends assembled?—Yes.

384. And you went in and out there?—Yes.

385. All his friends?—Yes.

386. His voters?—Yes, and to the tally room.

387. Did that occur to you as being anything remarkable?—No.

388. Now, tell me, Mr. Keary; I think you say you were a friend of Mr. Lever's, and that you have got nothing?—Nothing.

389. And that you expect nothing?—Nothing.

390. Have you any way of earning your bread except having respectable connections in Galway?—I have.

391. Tell me how it is?—I do business for many solicitors in Dublin; I conduct many records for the town of Galway.

392. Is it that you get up records in the town of Galway?—No.

393. You look after the witnesses?—No.

394. Then, what do you do?—I manage the business for them.

395. How do you do that?—I attend the trials.

Mr. Coffey stated, that the "records" referred to by the witness, were the same as the ordinary *Nisi Prius* proceedings in England.

396. Now, I must get that very distinctly from you, Mr. Keary; what duty do you perform with respect to these solicitors in Galway?—I attend the courts for them.

397. What do you attend at the courts for; because there is a special duty for a clerk to perform in attending court?—That is the business.

398. What is the business; do you write out the briefs?—No, the briefs come down to us.

399. Do you coach the witnesses?—No.

400. What do you do; you must do something; it is very hard to drag it out of you, Mr. Keary; what do you do?—I attend for them in court.

374.

401. But what do you do attending in court?

—The usual business of an attorney, of course.

402. You have been 24 years getting on to be an attorney; now give us some definite information of what you do to earn an honest penny; do you do anything, on your oath?—On my oath, I do.

403. What is it?—What I have just described to you.

404. You have not described it?—I have.

405. You say you attend in court?—Yes.

406. Do you sit down and ornament the case?—No.

407. Do you need to the jury?—No.

408. Then, what do you do?—The usual business of a solicitor, and you know that very well.

409. What are you allowed while you are getting up the case?—It is not a farthing that I get.

410. Do you live upon nothing here?—No, I am stopping at Mr. Stubber's house.

411. Now tell me, you have been here a month?—Yes.

412. Well, how do you pay your way now?—Since I came here, do you mean?

413. Yes?—It does not cost me anything; I am living at Mr. Stubber's.

414. Is that so?—It is.

415. How long were you acquainted with Mr. Stubber before this Galway election?—I was not acquainted with him at all.

416. You never knew Mr. Stubber before you were introduced to him at the Galway election?—Yes.

417. And you have been living with him as his guest since you came over?—Yes.

418. Did he invite you, or did you invite yourself?—No, he sent his son down to me as soon as I came here from Dublin.

419. At all events, it was at his instance that you are residing at his house, and staying with him?—Yes.

420. Now tell me, Mr. Keary, there are a great number of what are called gentry residing in Galway and the suburbs?—Yes.

421. Is there a large district, four or five miles round the town, containing voters?—Yes.

422. What we call villa residences?—Yes.

423. Is it the fact that 18-20ths of all those people voted for Sir Rowland Blennerhassett?—Lord Clanricarde and Mr. Leach supported him.

424. Is not Mr. Leach one of the most respectable and influential men in and out of Galway?—Yes, he is no doubt.

425. Did not all that class of people vote for Sir Rowland Blennerhassett?—They did.

426. I believe they were of opinion that Sir Rowland Blennerhassett and Mr. Morris were suitable candidates?—There was more than that, but I do not like to say anything about it.

427. Was not Mr. Lever surrounded by a number of his friends going round canvassing?—He was.

428. Did not everybody that was in his interest volunteer to go and accompany him here and there?—Yes.

429. Did you not all form parties when you saw Mr. Lever passing by, to go and volunteer?—Yes.

430. Is not that the ordinary practice in Galway?—Yes, it is.

431. I believe that there was a gentleman there who takes a very active part in all the elections,

B

Mr.
F. J. Keary,
—
5 May 1866.

- Mr. elections, a gentleman called Father Peter Daly?
 F. J. Keary. —Yes.
 5 May 1865. 432. I believe Father Peter Daly took an active part?—He did.
 433. And a zealous part?—Yes, he did.
 434. Would you go so far as to say a violent part?—I would not be guilty of any such thing.
 435. Did he not make speeches?—He did.
 436. And harangued the populace?—He did.
 437. In strong and vigorous language.

Mr. *Indersieck* objected to the question as being irrelevant.

Mr. *Coffey* was heard against the objection.

Mr. *Indersieck* was heard in reply.

The *Chairman* stated, that the Committee would receive the evidence until they ascertained the result of the examination; but, so far as the learned counsel had gone at present, they did not think his examination out of order.

438. Mr. *Coffey*.] Now, Mr. *Flan Keary*, I want to know from you whether you had a commission, or instructions during that time to watch; you know what that is?—I had.
 439. Mr. *Indersieck*.] From whom?—From no one.
 440. Mr. *Coffey*.] What is your name?—*Flan*.
 441. Were you christened *Flan*?—I believe so.
 442. Was it Father Peter that christened you *Flan*?—No, sir, it was not.
 443. Had you instructions to watch?—No, I had not.
 444. You did it on your own account?—I did; I know how to manage it, and I saw them going in.
 445. You took on yourself the part of looking out?—Yes.
 446. With a view to giving evidence on a future occasion?—No, indeed.
 447. You did not do it for nothing; for the pure love of pursuing a new profession, did you?—No.
 448. You know we call that in this country, and in my country too, talking on yourself the office of detective; upon your oath, were you not watching every move?—Watching, do you say?
 449. Yes; watching?—I was.
 450. Could they get (according to the estimation you have put upon your own powers) a keener fellow in all *Galway* to apply himself to that honourable pursuit; could they now, according to your own opinion, Mr. *Keary*, or that of your neighbours; recollect now you are 34 years on the road, you know?—I knew that it was impossible that they could put out Mr. *Lever*, unless by bribery.
 451. Therefore you watched?—I did; I watched the parties.
 452. You did the best you could?—I did.
 453. You kept sober the whole of the day?—I did.
 454. On your oath, was it not for that particular purpose that you kept sober, and abstained from the public-house?—On my oath, it was not; on my oath, I was never drunk in my life.
 455. I want you to define what you call drunk-

ness?—I could not; I never took spirits to excess at all.

456. You could lie upon the ground without holding it; is that your definition of soberness?—It is not.

457. Well, it is close upon it; did you not, whatever your motive was, abstain from going into a public-house the five-long day, taking no whiskey; and were you not, according to your own testimony, occupied in spying and discovering evidence?—I was watching the bribery.

458. Upon your oath, have you told the Committee all that you could tell?—On my oath, I think I have.

Re-examined by Mr. *Indersieck*.

459. You say you saw from the window a person of the name of *Welch* come out of *Brady's* house?—No; going into *Brady's* house.

460. My friend has asked you whether there were not more than six *Welches* in *Galway*?—Yes.

461. On the register of voters?—Yes.

462. I want to know whether this *Welch*, when you saw going into *Brady's* house, was the *Welch* to whom I examined you; what was the name of the *Welch* you saw?—*John Welch*.

463. Mr. *Coffey*.] Did you not say, "I think," in answer to my friend?—I cannot tell you whether I did or not.

464. Mr. *Indersieck*.] I understand you to say, then, you were there watching for bribery?—Yes, I was watching.

465. Were you watching for bribery?—I was watching first at *Brady's*; in the evening, after I was informed that the place for payment was removed to another place, named *Kirwan's*.

466. Tell us, first of all, were you watching for bribery?—Yes; first at *Brady's*, and next at *Kirwan's*.

467. Where else did you watch for it?—I was looking after *Hughes's* house too.

468. Did you watch at any other place?—And *Thomas Fahy's*, in *Bridge-street*.

469. Anywhere else?—No; nowhere else.

470. What was it that made you go there?—

Mr. *Coffey* objected to the question.

Mr. *Indersieck* said, he would put the question in another shape.

471. Was it in consequence of something that you heard that you went to this place?—It was.

472. What did you see when you went to these places to watch for bribery?—

Mr. *O'Malley* objected to the question, as not arising out of the cross-examination, and reminded the Committee that the witness had stated to his learned friend (Mr. *Coffey*) that he had told the Committee all he knew.

The *Witness*.] As far as I recollected that was the question I was asked, and that was what I said.

Mr. *Indersieck* was heard against the objection.

Mr. *O'Malley* was heard in reply.

The

The Chairman stated, that the Committee were of opinion that the question might be put.

473. Mr. *Federick*.] When you say that you watched for bribery at these different houses, tell us what you saw?—I saw a man named Green.

474. Take Brady's house first?—I saw the voters going in as I described before; then when I heard that the payment was stopped there—

475. By the Committee.] What did you see; don't tell us what you heard?—I saw a voter, a man of the name of Green, take a very active part for Sir Rowland Blennerhassett, bringing in

voters to Mr. Kirwan; I think his name was Michael Green.

476. We have had that before?—And I saw a man who was not a voter, very active for Sir Rowland Blennerhassett bringing voters in and out of Faby's.

477. Mr. *Federick*.] Did you see anything in addition to what you have told us in your examination in chief?—That led me to suppose—

478. No, don't tell us what you supposed, but did you see anything more?—No, I did not see anything more than that.

[The Witness was directed to withdraw.

JAMES MULLINS, was called in; and, having been sworn, was examined by Mr. Serjeant Ballantine, as follows:

479. What are you, Mr. Mullins?—I am a Viennaler by trade, I am a Butcher.

480. Where do you live?—In Galway.

481. Are you a voter?—I am.

482. In what capacity; are you a freeman or a freeholder?—I voted as a ratepayer the last time.

483. For whom did you vote?—I voted for Mr. Morris and for Sir Rowland Blennerhassett.

484. Before you voted, did you see Mr. Concanen?—I saw him, but I had no conversation with him.

485. Just recollect yourself?—I will tell you all the conversation I had with him.

486. By the Committee.] There are two Concanens, what is the Christian name of the Concanen you are referring to?—

Mr. Serjeant Ballantine.] I mean J. B. Concanen.

The Witness.] I will tell you all the conversation that I had with him; I live at the corner of the High-street, and there is another butcher lives just convenient to me, named Hughes; Hughes, the butcher, sent for me to my house, I did not know what he wanted with me; he sent for me to Hughes's house; when I went over there Mr. James Concanen was there before me.

487. Mr. Serjeant Ballantine.] You mean you went to the other butcher's?—To the other butcher's shop; when I went in, he said, "I know you will all vote for Mr. Morris"; I said, "I don't know that I will vote for you," and that is all that took place; then he walked out of the house, and he told Hughes.

488. Mr. Coffey.] Were you there?—I am telling you all that happened between us.

489. Mr. Serjeant Ballantine.] Do you know whether you were there or not?—I am sure I was there.

490. While you were there, did you hear this?—When Hughes sent for me I went over, and I did not know what he wanted; when I went over Mr. J. Concanen was there before me; when I went over, he said, "I am sure you will all go for Mr. Morris"; "I don't know," I said; he walked out to the door and told Hughes to follow him to the "Railway Hotel," that is all I know about it, and there is the whole of it for you.

491. You heard nothing passing between him and Mr. Concanen?—Not a single word did I ever speak to James Concanen.

274.

492. Did you get any money at all?—I got 5 l. J. Mullins.

493. Now tell us about this 5 l.; you know you have told this story before?—I got 5 l.

494. You have told us all about it before; tell us now who did you get it from?—From Michael O'Brien.

495. Who is Michael O'Brien?—He is outside there; he is a butcher, the same as myself.

496. Is Michael O'Brien a butcher too?—He is.

497. You got 5 l. from him?—Yes.

498. What for?—I suppose for my vote, and nothing else; I do not know what it was for; he did not give it to me for nothing.

499. You say O'Brien is a butcher; whose side is he on; is he for Mr. Morris or Mr. Lever?—I believe he was for Mr. Morris.

500. You know, do you not?—Yes, he was.

501. How soon after you had seen Concanen at the butcher's shop did you see O'Brien?—Oh, I do not know; I do not know if I saw him that evening or not.

502. How soon was it that you got the 5 l.?—The election was on a Saturday, and I got it on the Sunday week following.

503. Following the election?—Yes, after the election.

504. After you had voted?—Yes.

505. Did you expect to get it?—Of course I did.

506. Why, of course; who told you you would get it?—I was sure that I would know where to get it, from O'Brien.

507. You did not go to O'Brien without knowing who would give you the 5 l.?—It was promised by O'Brien.

508. When was it promised, before the election?—Before the election, of course.

509. You were promised before the election by O'Brien?—Yes.

510. Was anyone present when it was promised?—I cannot say whether there was or not.

511. How long was it before the election that you were promised 5 l.?—I cannot say how long before.

512. You can tell whether it was two or three days, or two or three weeks, or what?—Really, I do not know; I do not know how long it was.

513. What did O'Brien say when he promised you the 5 l.?—He said nothing to me, only that I would get a 5 l. note by voting for the two Members.

514. So you voted?—I did.

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515. Was

J. Mallins.
5 May 1866.

515. Was anything ever said about 200 l.?—Not that I know anything of.

516. Do you not remember anything with Mr. Concanen about 200 l.?—I told you before, what I had with Mr. Concanen; I do not know one ha'penny's worth about Concanen; I never spoke a word to him in my life, only that much I have told you.

517. He never said anything?—No, he did not.

Cross-examined by Mr. Rodwell.

518. Do you know Mr. Morris?—Yes.

519. This is Mr. Morris, sitting by my side?—Yes.

520. Do you recollect his canvassing you about the month of March, for the election?—Yes, he did, he was in Galway, and canvassed the whole town.

521. When he canvassed you; did you promise him your vote?—I did.

522. That was in March, some months before the election?—I really do not know when it was.

523. You promised him?—I did.

524. And you intended to keep your promise?—Yes, of course.

525. The only vote you promised up to the time you had seen Mr. Concanen was to Mr. Morris?—Yes, it was.

526. Had you promised a vote for anyone else except Mr. Morris at the time you saw Mr. Concanen?—I do not know whether I did or not; I am not sure whether I promised any of the rest or not.

527. You are sure that you promised Mr. Morris?—There is no doubt about it that I promised Mr. Morris; there are no two questions about that.

528. There was no doubt about his election, you think?—Oh, with myself there was no doubt that he would have a sweeping majority; I would have gone to Dublin.

529. With respect to the 5 l., you said that you thought O'Brien was for Mr. Morris?—I do not know who he was for.

530. My friend put it to you (but only mentioned Mr. Morris's name to you), whether it was for Mr. Morris or the other candidate, and you said that you believed it was for Mr. Morris; did you ever see O'Brien with Mr. Morris?—I think it was for Sir Rowland Blennerhassett; I got the money, but I do not know who did it.

531. You said something about Dublin?—I would have gone any distance to vote for Mr. Morris.

Cross-examined by Mr. Coffey.

532. I suppose everybody was canvassing you there?—Where, sir.

533. In Galway?—No doubt, all round about there.

534. Mr. Stabbler was canvassing you?—Yes; he was canvassing there.

535. And Mr. Lever?—Yes; they were all canvassing and going about.

536. And Mr. Osborne canvassed you?—No.

537. Mr. Hurton canvassed you?—No, he never spoke to me; I do not think he did; if he did, I do not remember it.

538. There were a great many candidates in the field?—There were enough of them in.

539. You were bothered amongst them all?—There were enough of them.

540. Was not the general feeling there in favour of Mr. Morris and Sir Rowland Blennerhassett; was not that the general feeling?—It was, no doubt.

541. Is not that the fact, that there was a general feeling among the voters and the whole of the people of the district in favour of Mr. Morris and Sir Rowland Blennerhassett?—In favour of Mr. Morris.

542. And Sir Rowland Blennerhassett?—I do not know how that might go off.

543. You are an innocent?—I am not indeed an innocent.

544. You say somebody gave you a 5 l. note on the Saturday week after the election?—Yes; I am telling the truth.

545. Have you told everything that occurred about that transaction to the Committee?—I do not think I have told anything wrong.

546. Or kept anything back?—No, sir; indeed I do not.

Re-examined by Mr. Sergeant Ballantine.

547. Who do you say were the popular candidates; were Mr. Lever and Mr. Morris the popular candidates, or were Mr. Morris and Sir Rowland Blennerhassett the popular candidates?—I don't know anything of them at all except Mr. Morris; they were all fighting amongst themselves, but Mr. Morris was the only one that would be returned.

548. What did you take this 5 l. for if you had such an affection for Mr. Morris?—I took it for my vote.

549. For your vote for whom?—For whom?

Mr. Rodwell objected to the question.

550. Mr. Sergeant Ballantine.] What did you take the 5 l. for.

Mr. Coffey objected to the question.

551. By the Committee.] Did you understand, when you received the 5 l. that you received it in order to vote for Mr. Morris, or for Sir Rowland Blennerhassett?—I considered, when I was getting that 5 l. that it was for Sir Rowland Blennerhassett that I was getting it, that is all that I know in regard to the money.

552. Mr. Sergeant Ballantine.] You took the 5 l. for Sir Rowland Blennerhassett, and if I understand your answer to the Honourable Member, you would have voted for Mr. Morris whether or no?—I got 5 l., but I would have voted for Mr. Morris no doubt, so I would.

553. Without the 5 l.?—If he had never a shilling, I would vote for him.

554. What I understand is this; that you sold your vote to Sir Rowland Blennerhassett, but that it had no influence on you with regard to Mr. Morris?—I don't know anything at all, but that I said that I would vote for Mr. Morris without a shilling, whether I got 5 l. for voting for the other man or not; that is my opinion as to how I did get it; I don't know whether I am right or not.

[The Witness was directed to withdraw.

Mr.

Mr. THOMAS MADDEN, called in; and, having been sworn, was examined by Mr. *Inderwick*, as follows:

555. WHAT are you?—I am a Corn Dealer and a Pig Dealer; I deal in several things.

556. Where do you live?—I live in Galway.

557. In the town?—Yes.

558. Do you know a man of the name of John Kirwan?—Yes, well; he lives near to me.

559. Did you see John Kirwan anywhere the night before the polling?—I did; and after the polling.

560. I want to know, first of all, the night before the polling, where was it you saw him?—I saw him at several places.

561. I mean the night before the polling?—I saw him at several places up and down the street.

562. Do you know the house of a man of the name of Murray?—

fellow, named Paver; I think that was his name.

571. Did you see him on that night with Andrew Cohen?—I did not.

572. Do you know Andrew Cohen?—I do; he is here in London.

573. Do you know Patrick Needham?—I do.

574. Did you see Kirwan with Patrick Needham on that night?—I did not.

575. Do you know James Leonard?—No.

576. Do you know Thomas Dillon?—I do.

577. Did you see Kirwan with Thomas Dillon?—No, not that night; but the night after the election, when he was getting the money, I saw him.

578. Who was he getting the money from?—Kirwan.

579. Was there any one else there when Dillon was getting the money?—There were a great number.

580. Were they all getting the money?—They were; it was equal to a public pay office.

581. You say, Thomas Dillon was getting money from Mr. Kirwan?—Yes.

582. What money did he get?—I cannot say how much money he got, but he got money.

583. By the Committee? Where was this?—In Mr. Kirwan's own house; it was at the back door; there were several parties there.

584. Mr. *Inderwick*.] Just give us the names of the parties who were there; let us know who they were?—I will give you some of them.

Mr. *O'Malley* objected to the course of examination pursued, on the ground that the Committee having decided that no case, not mentioned in the list should be inquired into; the learned Counsel was endeavouring to evade that decision by getting at the information by other means.

Mr. *Serjeant Ballantine* was heard against the objection.

Mr. *O'Malley* was heard in reply.

The *Chairman* stated, that the Committee were of opinion that the question might be asked.

585. Mr. *Inderwick*.] At the time, you say, Dillon had this matter, who was present?—There was no one present but Mr. Kirwan and Dillon; he came out of his shop when Mr. Kirwan's maid went and told him that Dillon was waiting for him.

586. Were you there?—Yes.

587. By the Committee.] Were you the only person there?—Yes; there was a very respectable man standing along with me, named Rye.

588. Was he present at the time the money was given?—No; but when Mr. Kirwan found out that I was there, he told the rest of the fellows to go off, and that he had a spy at the door; I was speaking to another man, Kenealey, who got money besides.

589. What did Kirwan say, if anything, at the time he gave the money to Dillon?—He did not keep Dillon more than three minutes, for he had a house full of those fellows who were looking for money.

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590. Did

Mr. *O'Malley* said, that there was not in the list of petitioners any case specified in connection with Thomas Madden.

Mr. *Inderwick* replied, that he was examining as in seven voters whose names the petitioners had not been able to give.

Mr. *O'Malley* objected to any examination with reference to the seven voters so indicated.

Mr. *Inderwick* was heard against the objection.

Mr. *O'Malley* was heard in reply.

The *Chairman* stated, that the Committee were of opinion that they could not receive the evidence.

Mr. *Inderwick* stated, that he would continue the examination of the witness with reference to another case.

Mr. *O'Malley* asked the learned Counsel to specify the case with reference to which the examination was to proceed.

Mr. *Inderwick* replied, that it was the case of David Murdon.

Mr. *Kedwell* stated, that David Murdon's name was second on the list, and he had not been bribed by anybody.

Mr. *Inderwick* stated, that he would take the name of Andrew Cohen.

563. You know the house of a man named Murray?—Yes.

564. Did you see a person upon that night near Murray's house?—No, I did not.

565. Do you know a yard that Murray had?—I know Murray well.

566. Do you know where Murray's yard is?—I do.

567. Did you see any one at Murray's yard?—No, I did not.

568. Did you see Murray on the night before the election in the company of any voters?—No, I did not see Murray at all.

569. Did you see Kirwan with any of the voters?—I did.

570. Will you give us the names of some of the voters you saw with Kirwan the night before the voting?—I will; he brought in two of the name of Garne, father and son, and an old 274.

Mr.
T. Madden.
5 May 1866.

Mr.
T. Madden.
5 May 1886.

590. Did Mr. Kirwan say anything at the time he gave the money to Dillon?—Only three or four words; he did not speak more than a minute or two, when Mr. Kirwan came out of the shop.

591. Did you hear what he said to Dillon?—He just congratulated him on giving the vote, put his hand into his pocket, and gave him the money; and then he came out; he had too much to attend to; there were a great many coming for their money at the time.

592. You say that he congratulated him on giving the vote; was any name mentioned for whom the vote was given?—No; no name was mentioned; Dillon admitted the case; he told me afterwards that it was a fair bargain between himself and Mr. Kirwan.

593. By the Committee.] You said no one else was there besides these two men?—There were a great many parties looking for their money at the time, and Dillon was more respectable than the parties looking for their money, and he came out, and Mr. Kirwan came out to him.

594. You said no one there was present besides these two men, and then you said afterwards that a number of others were present?—There were two apartments in the house, and he withdrew from one apartment.

595. To an inner room?—No; there is a lobby.

596. You stayed in the lobby, or did you stay in the inner room?—Inside the hall.

597. This was going on in the inner room?—It is a pawn-shop; there is a large shop on this side and a clothes shop on that side.

598. You stayed at the door?—Yes, just so; in the hall.

599. You saw the money pass?—To be sure I did, and there was more than one party, too.

600. Mr. Jaderwick.] Do you know Michael Hughes?—No; I have nothing to say to Michael Hughes.

601. Do you know Patrick Hughes?—I have nothing to say to them; I may know them; I know a good many of the Hughes.

602. Do you know James Campbell?—I do.

603. Did you see James Campbell there that night?—No; I saw several parties looked up at Kirwan's.

604. Can you mention the names?—Yes, I will mention a good many of them, if you like; I saw the Garveys looked up there.

605. Can you give the names?—I can give the name; I saw John Garvey and Pat Garvey.

606. This night, when you saw the persons, did you put their names down in a book?—I did, immediately on the spot; my own house was no more than ten yards from it.

607. Have you got the book?—No, but I have a copy written off from my book.

608. Did you make that copy yourself?—No, I did not; I got my nephew to copy it; but I have got the book.

609. Where is it?—At Galway.

610. Can you get it over?—Yes, to be sure I can, by telegraphing for it.

611. You cannot give the names without that book?—The names are in that book.

612. You cannot give the names without that book?—Oh, yes; I will give you the names.

613. Then now do give the names?

Mr. Rodwell.] The names of what?

614. Mr. Jaderwick.] Give the names of the

persons who were present at Kirwan's house that night?—There was Kenealey, Dillon, Green, and Donovan.

615. Was it William Donovan?—Yes, I believe it was William Donovan.

616. Was it Denis Kenealey?—Yes.

617. Was it Michael Green?—Yes; his name is Mick Green; I could name more if you liked; there were several parties in it.

Cross-examined by Mr. Rodwell.

618. You are a voter?—I am.

619. For whom did you vote?—I voted for Morris and Lever.

620. When did Mr. Morris canvass you for his vote?—I believe he canvassed me a month before the election, but I cannot exactly say.

621. Was it not about the spring?—It might be two months, for aught I could say, before the election.

622. You promised Mr. Morris when he canvassed you that you would vote for him?—I did; and I did vote for him.

623. You all along intended to vote for him?—Certainly.

624. You did not get anything on your vote?—No.

625. Do you know that a good many who supported Mr. Lever gave their first votes for Mr. Morris?—I do not know anything about it, for I did not take a very active part in the election.

626. In watching the opponents?—No, I should like Mr. Morris and Mr. Lever to be returned.

Cross-examined by Mr. Ceffey.

627. Is Kirwan a friend of yours?—He is no friend of mine whatever.

628. He is not a friend of yours?—No more than this: I have never had anything to say to the man.

629. What took you into his shop that evening?—When he came out of it, I withdrew.

630. What brought you in there?—That is my business.

631. What brought you in there?—To look at the people getting the money.

632. And to put down in your little pocket-book what you had spied out?—Quite so; I put it down in my pocket-book.

633. Then you went in to be a spy?—Yes.

634. Having determined to take that honourable position, where did the spy station himself?—At the door, inside the door, and outside the door, and at the window.

635. Were you at the door, outside the door, and at the window, all at the same time?—Yes, I was occasionally; I was sometimes at the window and sometimes at the door.

636. And all at the one time; well, could you tell us now how much money was given?—I could not exactly see the sum of money; but I was offered to be treated out of it, but I would not accept it.

637. Although you did not this part of spy, that is no reason why you are not to answer the question?—Certainly not; with great respect, I will answer every question.

638. I ask you, where was it you stationed yourself when you performed this part of spy?—First, at Mr. Kirwan's window; the large number of fellows there excited me when I was passing by the window, and then I stood there.

639. Have

639. Have you done with your speech; are you quite done?—Yes.

640. Again I ask you, where did you station yourself when you saw the money pass?—Inside Mr. Kirwan's hall door.

641. Were you in the passage, the shop, or the parlour?—It was a passage leading to an open shop; it was a public passage leading into his pawn shop.

642. You stationed yourself in the public passage?—Yes.

643. Was that open to the public at large, to pass in and out?—It was a passage into the office.

644. You put yourself into this public place there?—Yes.

645. Where were Mr. Kirwan and Dillon at the time you say this money passed?—I will tell you that—

646. You may sit down now and be quiet?—I want to give every satisfaction; here is the room here (*describing it*), here is his pawn-office, and here is another shop here, which is a clothes shop; and he came out of the pawn-office, and he stood between the two doors, do you see? and then he just spoke a few words to Dillon and congratulated him, when he put his hands in his pocket, and Dillon came out with the money; I was with him when he came out with the money in his hands.

647. Now, please, answer my question; you say you were in this public passage when this transaction occurred?—Yes.

648. Were you near enough to hear what passed between them?—Yes; Mr. Kirwan spoke some very friendly words to Mr. Dillon, and returned thanks, and gave the money, and out he went.

649. The question I asked you is a very simple one; were you near enough to hear everything that was said by Mr. Kirwan to Dillon and by Dillon to Mr. Kirwan?—I told you very distinctly that there were only very few words said.

650. Were you near enough to hear what passed?—Quite so.

651. You are perfectly certain of that?—No doubt.

652. There can be no mistake about that?—No mistake.

653. How long did you remain there?—I stopped there from nine o'clock to eleven, for they were coming in by twenties.

654. Did I ask you whether they were coming in by twenties or forties?—Well, I want to satisfy you, because you are so anxious.

655. Your position is there as a witness to answer the questions that are asked of you; do not bandy words with me?—I am doing so with great respect.

656. I don't want to do anything unfair by you, but, if necessary, the Counsel instructed to examine you on the other side will ask you anything that he thinks right to clear up the matter; at present confine yourself to answering my questions; you say you were there between nine and eleven o'clock?—I stood there from nine till eleven o'clock, for I took my watch out and looked at it.

657. For a moment, let me understand you; when you went in and took out your watch, you observed that it was nine o'clock?—Yes, and it was eleven when I left.

658. Kirwan was in sight of you, when you saw him?—I was within three feet of him.

659. He had an opportunity of seeing you?—No; because his back was turned to the window, and I was behind his back looking right over his head; I could not be more than two feet from him; there was nothing but the glass between him and me.

660. When you were at the door, and when you say this transaction occurred between Kirwan and Dillon, could Kirwan see you?—Kirwan could not see me.

661. Could Dillon see you?—He saw me when he was going in, and he saw me when he was coming out, for he was speaking to me upon coming out.

662. Answer my question; when this transaction occurred, could Dillon see you?—He did see me, and he was speaking to me.

663. When it occurred?—Yes; the minute after it occurred.

664. That was not when it occurred?—We could not be speaking together; he did not come four yards before he spoke to me.

665. Dillon did not?—No; he did not come four yards before he entered into conversation with me.

666. Do you mean that Kirwan did not come four yards?—No; Dillon did not come four yards, after getting the money from Kirwan, before he spoke to me.

667. Can you tell the Committee whether it was notes or gold that passed between those parties?—I believe it was notes.

668. I don't ask you what you believe?—It was notes.

669. Upon your oath, will you tell the Committee that it was notes?—Upon my oath, it was notes; will that do for you?

670. Now can you tell me whether there was more than one note?—I am sure that there was more than one note.

671. Are you swearing to the Committee what you absolutely saw, or what you believe?—That I absolutely saw notes, but I don't know the number of them.

672. Will you swear to the Committee that they were bank notes, or money notes at all?—I will swear that they were bank notes.

673. Were they exposed or handed out?—They were for a few minutes, until he put them in his pocket, and he wanted to treat me afterwards with some of the money.

674. Never mind that; you have already sworn to the Committee that these bank notes were exposed in his hands for some minutes?—For a minute or so, or for two minutes, if I said so.

675. Was it for a minute or so, or for some minutes?—It might be a second; he took and put them in his pocket, and that was all.

676. Did you take out your watch?—I looked at the watch when I stood there, and when I left.

677. Did you see your watch to ascertain how many minutes the bank notes were exposed?—No, I did not.

678. Will you swear to the Committee that they were bank notes?—I will.

679. Will you swear to the Committee how many there were?—No.

680. Will you swear to the Committee that Mr. Kirwan said one word about money to that man in your hearing?—He did not give him much time to say anything.

681. Is that the question I asked you, sir; there is no use in evading giving me a direct answer?

Mr.
T. Madden.
—
5 May 1896.

Mr.
T. Madden.
5 May 1866.

over?—He gave them the money, and, before he gave the money, Dillon had told me that he had made a bargain with Mr. Kirwan.

682. I did not ask you any question about that?—I wanted to make you sensible of it.

683. I did not ask you one word about that; I asked you distinctly, did you hear Mr. Kirwan say one word to Dillon about money?—I distinctly heard him ask him in a friendly way how he was; there was not much time for him to ask him anything about it; he put his hand in his pocket and gave him the money.

684. Did Mr. Kirwan say to Dillon the word "money"?—Mr. Kirwan did not mention the word "money," because he had no occasion to do so; he gave him the money.

685. Then there was not anything said about money?—Devil a bit was there anything said about money, for he came out of the shop to give it to him.

686. Was Mr. Kirwan standing with his back to you the whole of the time of this transaction?—He was standing in the two doors.

687. Listen to my question; was Mr. Kirwan standing with his back to you during the whole of the time?—Indeed he was at that time.

688. How long was he standing in the position you describe?—Not more than a minute and a-half at the time he was giving the money to Dillon.

689. He had his back to you?—He had.

690. And Dillon was, I presume, facing you?—Dillon had his back to me, too; they were both sideways between the doors, under the jamb of the door in the little recess between the street door and where they were standing.

691. You have already told the Committee that Mr. Kirwan's back was towards you, when you say this transaction occurred; I ask you now whether Dillon was facing you at the time?—No, Dillon's back was turned towards me.

692. They both had their backs turned towards you?—Yes, they were both standing side by side speaking to each other; they were not half the distance from me that that door is.

693. While you saw this transaction, you say that both the men's backs were turned towards you; how soon after that did Dillon see you?—About two minutes.

694. How soon after that did Mr. Kirwan see you?—Not for a good while afterwards.

695. How long was it?—Nearly an hour, I dare say.

696. Were you standing in the same position (posted at the door in the passage), that you were during that time?—No, I was not.

697. Where did you go to?—There was a house within 12 feet, for I measured it, from Mr. Kirwan's office; it was Mr. Ryle's house; I was intimately acquainted with him; I went backwards and forwards occasionally, and watched there and saw them going in and out.

698. As I understand your evidence; between the hours of nine and 11, you were on the constant watch, but occasionally you were going backwards and forwards to the other house?—From Ryle's door I walked backwards and forwards, as it suited me.

699. Where did you put down this memorandum of what you saw?—It is written in my account book in Galway.

700. Did you write it that night?—Yes, the very minute I went home, and I produced it to the gentlemen now in London.

701. Did you voluntarily undertake this duty, or did anyone suggest it to you?—Myself, on my oath, I did it voluntarily.

702. Then you, of course, must have a great interest in Mr. Lever, to undertake this duty?—I had at that time, I liked him well.

703. Have you got a nephew?—I have.

704. What is his name?—Peter Lydon.

705. What employment is he in now?—At home with me; he was not more than three months at Mr. Lever's, when I took him out of it.

706. In what capacity was he employed by Mr. Lever?—I believe he was a clerk, writing in Mr. Lever's office, and I took him out of Mr. Lever's office.

707. In London or in Galway?—In London; the wages he had at Mr. Lever's office would not support a cat; I took him out of it and brought him home.

Mr. Indersieck applied for an adjournment until Monday morning, on the ground that the petitioners wished to send to Ireland for the book in which the Witness had made the entries of which he had given evidence.

Mr. O'Malley objected to any adjournment.

The Committee allowed the objection.

Re-examined by Mr. Indersieck.

708. Do you say, that you can give the names of the persons that you wrote in your book?—I can give some of them.

709. You say you were watching from nine till 11?—I was.

710. Were you in such a position that you could see all that came in and out?—I put myself in that position purposely.

711. How many do you think there were that came in and went out during the time you were there?—There were as many as 30; they came in in ones, and twos, and threes, and fours; I took down five or six of their names, particularly, Donovan, Dillon, and Dewar, were amongst them.

712. With regard to these notes, you say that you are certain they were bank notes?—To be sure.

713. Were they 1 £ notes or 5 £ notes?—I am pretty sure that they were 1 £ notes; I think I am sure of that; they were not 5 £ notes.

714. By the Committee.] Did you say that you saw the money pass yourself?—Yes.

715. At that time you were how many yards off, do you think?—I could not be more than two or three yards off.

716. And both men had their backs to you?—Yes; both were sitting face to face at the time.

717. When both had their backs to you, how could you distinguish the notes that were passing between them; was there some space between them?—There was a gas light alight in the two shops and the door between them, and there were lights from each house, and when he was handing the notes I saw the money.

718. Neither of them saw you?—No, neither of them; but Kirwan discovered that I was in there afterwards, and came out and called me a spy; he said, "I cannot pay any of you, because there is a spy at the door."

719. Who

719. Who is Kenaley?—A shoemaker.
 720. Is he a master shoemaker, or journeyman?—I believe he is a master shoemaker now.
 721. What is Dillon?—He is a watchmaker; I believe he will be here.
 722. What do you mean by a watchmaker?—He makes watches and sells them.
 723. With his own hands?—Yes; and he has them in his own window.
 724. He keeps a shop?—Oh yes; he keeps a shop; it is a jewellery shop.
 725. What sized shop is it?—It is a very decent and very nice shop; he is a very respectable man.
 726. It is a smartish shop?—Yes.
 727. And a good many watches are sold there?—Oh, a great deal.
 728. Who is Green?—Green is a tinmith; he is a very poor man.
 729. You did not mention any other names, did you?—Yes, Donovan and Dewar.
 730. What is Donovan?—He is a publican.
 731. What is Dewar?—I think he is dead.
 732. What was his business?—A coach painter.
 733. Do you mean a working painter?—Yes; he would paint carriages.
 734. Had he a shop of his own?—No, he had not a shop of his own.

735. Has Kirwan a large shop?—He has a good snug shop; he is a very decent man.
 736. He has a large family?—No, he has not; he has grown up sons, sons of about 20 years of age and more; he is a man that entered into a long conversation with me about getting the money, and he told me the parties who employed him too.
 737. Kirwan is a pawnbroker?—Yes.
 738. Can you state with certainty that the various parties that you saw passing in and out, especially those you mentioned, did not visit his shop in the ordinary course of business?—I can swear positively that they went in for the money.
 739. Can you swear positively that they did not visit his shop in the ordinary course of business?—I can, Sir, because I heard them calling for the money, and asking for it, and I heard Kirwan give them excuses, telling them to call again, a good many of them; he had not money for all of them; a great many of them were coming in so fast that the shop was crowded.
 740. You can swear that it was not in the ordinary course of business?—I can, Sir.

[The Witness was directed to withdraw.

Adjourned to Monday next, at Eleven o'clock.

Mr.
T. Madley.
—
5 May 1868.

Monday, 7th May 1866.

HENRY HUSSEY VIVIAN, Esq., IN THE CHAIR.

Mr. Thomas Dillon was then called in, and was about to be sworn, when he demanded a guarantee for his expenses before giving his evidence; a discussion ensued, after which a bank note was handed to the Committee clerk as an assurance that the expenses would be paid, whereupon the Witness was sworn and examined, as follows, by Mr. Sergeant Ballantine:—

Mr.
T. Dallas.
7 May 1866.

741. ASK you a ratepayer at Galway?—Yes.

742. At the last election did you see Mr.

Lever?—I did.

743. Did you make him any promise?—I did.

744. To vote for him?—Yes.

745. Were you canvassed afterwards by Mr. Morris and Mr. Kirwan together?—I was canvassed a long time before that by Mr. Morris.

746. Was Kirwan with him?—Which Kirwan do you mean, because there are a dozen Kirwan's in the place.

747. I mean John Kirwan?—What business is he.

748. I believe he carries on the business of a pawnbroker?—Then he was not with him.

749. I want to know whether you did not see Morris and Kirwan after you promised your vote to Mr. Lever?—How do you mean, "Did I not see them"? I see them every day of my life going through the town; do you mean, did I see them in conjunction with each other; do you mean to ask me whether Mr. Morris and Mr. Kirwan came together to know whether I would vote for Mr. Morris.

750. Yes?—I did not see them together.

751. Have you said that you did?—If I have the shorthand writer has it down.

752. Is this your handwriting (showing a document to the Witness)?—No.

753. It is not your handwriting?—What part of it do you mean.

754. You need not play tricks with me, you know what I mean?—It is you that are playing tricks with me; what do you mean.

755. Go to your chair, sir; now, look at this document (handing some to the Witness); do you see a signature?—Yes.

756. Is the signature your handwriting?—The signature; now you put the question right; it is.

757. Do not be insolent, but answer the question?—Well, I have answered the question; it is.

758. Was the statement in that document read over to you?—I read it myself.

759. Look at it again; did you read it yourself before you attached your signature to it?—I did.

760. Look at it again?—Do you mean for me to read it all over again.

761. Yes?—I, the undersigned —"

762. Read it to yourself.

The Witness perused the document for some time.

763. Now, I ask you, having read that —?" —I have not read it yet.

The Witness again perused the document for some time.

764. Have you read it now?—No, I have not.

The Witness again studied the document for some time.

The Witness.] Now I have read it.

765. Now, I ask you, were you canvassed by Mr. Morris and Mr. Kirwan after you promised your vote to Mr. Lever?—After.

766. That is my question?—No.

767. Do you swear that you were not?—I do.

768. You have read that document?—I have.

769. Did you make the statement that you were?—That I was what?

770. Have you read there that you were canvassed by them after promising your vote to Mr. Lever?—I have read it through.

771. Is that true?—I will tell you how it is.

772. Is that true?—I will tell you how it is.

773. Answer my question first; is that true? —I will answer your question, but I want to

answer it in a way that will enable the Committee to see the truth of it; I believe that is the proper way; that thing there was written and it was signed by me for the purpose of getting into the confidence of a party who was making a plot or a conspiracy; and if I had not become, for a while, a party to it, to a certain extent, as I was, inasmuch as I have my name to it, I could not have found out the whole particulars of it.

774. Now, do you mean that the whole of this is a falsehood; I will read to you: "I, the undersigned, was canvassed for my vote at the late election for Galway by Mr. J. O. Lever, and promised him; I was afterwards canvassed by Mr. Morris and his agent or friend, J. Kirwan, who said he was particularly interested for Mr. Morris; I then asked J. Kirwan if his friend was giving any money, and he said, 'Yes;' I then said I promised Mr. Lever, and would it do to split for Mr. Lever and Mr. Morris; Kirwan said

said 'No,' but if I would vote for Mr. Morris and Sir Rowland Blennerhassett I would get 5*l*. in hand and 5*l*. another day; I voted accordingly, and got 5*l*. from John Kirwan on the election day, and was seen paid by Thomas Madden, of Abbey-street?—It was only for the purpose of finding out what the plot was; I got a kind of wrinkle that a plot was going on, and I made up this story for the purpose of being able to discover it to the parties plotted against; certainly it is a bad thing to break confidence, unless in an extreme case, and this is an extreme case; just the same as if this place was going to be blown up by gunpowder, I should be very much obliged to any one telling me of it; and it would be a very good thing for any one to break confidence and tell us all about it.

The Chairman suggested that there might be witnesses in the room who would be required to be called on Mr. Stubber's petition; and the Committee therefore warned such witnesses and the parties to the petition that the rule of exclusion would apply equally to them as to those who were being examined in the present case.

Mr. Coffey stated that he was informed that all witnesses were out of the room.

Mr. Ritten said he would take care for the future that none were allowed to be in the room; but he hoped that the Committee would not hold his client responsible for the conduct of any witnesses hitherto who might have been in the room, and who might be required to be called upon his petition, because the petition on which he appeared was not before the Committee.

Mr. Coffey contended that Mr. Stubber's petition was as much under consideration as that of Mr. Lever.

The Chairman stated that the observation he had made was intended as a warning to all parties.

775. Mr. Sergeant Ballantine.] Is the whole of this statement a falsehood?—It is a part played for the purpose of finding out a conspiracy.

776. Answer my question; is the whole of this statement a falsehood?—The whole of it.

777. The whole of it is a falsehood?—Let me read it; some parts of it may be true; this part is true: "I, the undersigned, was canvassed for my vote at the late election for Galway by Mr. J. O. Lever, and promised it;" down to there it is true; "I was afterwards canvassed by Mr. Morris and his agent, or friend, Mr. J. Kirwan," that is not true; "who said he was particularly interested for Mr. Morris," that is not true; "I then asked J. Kirwan if his friend was giving any money, and he said 'Yes,'" that is true; "I then said I promised Mr. Lever," that is not true; it is not true that I ever said that to Mr. Kirwan; "and would it do to split for Mr. Lever"—oh, that is not true at all—"and Mr. Morris;" I saw that this was what the plotters or conspirators wanted, exactly, and I gave it to them for the purpose of getting into their confidence.

778. Never mind about making a speech; you can justify yourself presently; tell us what is true and what is false?—"That I would vote for Mr. Morris and Sir Rowland Blennerhassett, and that I would get 5*l*," that is not true; "and 5*l*.

another day," not a word of that is true; "that I voted accordingly, and got 5*l*," I never got a farthing, consequently this is not true, "from John Kirwan on the election day, and was seen paid by Thomas Madden;" that is not true, but Mr. Madden said that he saw me, and that is not true.

779. It is all untrue, except the part that is immaterial?—It is all untrue, except the part that is true.

780. It is not true that you received the 5*l*. at all?—It is false.

781. That is entirely a falsehood?—Quite so.

782. And all about it is an invention, is it?—Yes.

783. Is it your invention, or somebody else's?—It is a kind of joint invention.

784. Well, just tell us who the other respectable gentleman is who joined you; joint, you know, means at least two; who is the other person?—Really I would as soon not tell his name; he is a particular friend, and a staunch friend of Mr. Lever.

785. Who joined with you to deceive and cheat him?—Well, he thought I was going to cheat, and also going to plot with him.

786. What is his name, because we like to have a couple of witnesses?—I believe his name is Walter Stainton; it is signed there.

787. Walter Stainton; do you mean that he joined with you to deceive Mr. Lever?—No, I say he was a staunch and sincere friend of Mr. Lever's.

788. Do not talk about staunch friendships?—Yes, I will; he is a staunch friend; in justice to Mr. Stainton, I say it.

789. Who signed this?—I wrote that letter.

790. Now just attend to me; I did not ask you about Mr. Lever's friends, I asked you with whom you joined to cheat Mr. Lever and defraud him?—In justice to Mr. Stainton, I told you that Mr. Stainton was a staunch and sincere friend of Mr. Lever; I must say it in justice to Mr. Stainton.

791. Now do not begin to perjure anybody?—I am only doing it in common justice to Mr. Stainton.

792. Never mind your justice?—We must have a correct definition of justice; that must be understood.

793. We may have a definition of justice that might not be pleasing to you; just answer my question; did you invent this out of your own mind, or did you and somebody else combine?—That letter was brought to me written, and he asked me, was that the state of things, and I said it was; "Will you sign your name to it?" said he; "To be sure, I will," said I.

794. Do you mean, then, that you told Stainton nothing?—I told Stainton just about what is in that, and he wrote it out.

795. Now I ask you; you say that you signed your name to this, intending to discover a plot, or to defeat a plot?—Certainly.

796. That is your story?—That is really the truth.

797. Now just attend to me; did you do it of your own accord, or did you and somebody else do it?—Of my own accord; no one knew a syllable of it.

798. Have you told anybody on the other side that you have done it?—Since when.

799. Since you did it?—I should like you very much to state how long since.

c 2

200. I shall

Mr.
T. Dillie.
7 May 1866.

- Mr. T. Davis. 800. I shall not state it?—I will tell you; I did two or three days ago.
801. Only two or three days ago?—I think so.
802. Now that was the first time that you mentioned to anybody that you had told this falsehood?—It was, and I will give you my reason if you wish.
803. I do not wonder at your particularity about your expenses?—I will give you my reason; until I had everything worked up, I would not tell them.
804. Until you had everything worked up; then you have been working things up, have you?—No.
805. What do you mean?—Until I was served with the Speaker's warrant.
806. You meant to have your expenses paid by the other side, and then you meant to betray them?—I meant to do a good thing. I beg your pardon; an informer, if you wish to call me one, is a most useful man when he informs for useful purposes; no man deserves more credit.
807. An informer is what?—A most useful man.
808. Well, occasionally I think your countrymen do not think so; you think an informer is a most useful man?—Sometimes.
809. And a most honourable and upright man, do you think?—I think that the man who discovered the Gunpowder Plot was a very useful man, and I think those who think he was not must be very bold.
810. Are you a Roman Catholic or a Protestant?—I am a Protestant.
811. Now three days ago, to whom did you mention this; you know you cannot have forgotten all that took place three days ago; whom did you mention it to?—I mentioned it to Mr. George Morris.
812. Do you mean your Member?—No; I do not think he heard it till now.
813. Is he any relation of Mr. Michael Morris?—Only a brother.
814. Well, that is generally supposed to be a relation, I believe; at any rate it is with us; so you told Mr. Morris, did you?—Which Mr. Morris.
815. Mr. George Morris?—I did.
816. How did that happen?—I told it to him to let him know that I had discovered a plot, for the purpose of its being countered.
817. Where did you tell him?—I told him in Galway.
818. Did you call upon him, or he upon you?—I called upon him.
819. You called upon him to tell him?—Yes.
820. Did you tell him you had got a Speaker's warrant?—I did.
821. What else did you say to him?—That I was going to London.
822. Did you tell him what for?—To tell the truth.
823. Oh yes; but he would not care about that, you know?—Oh, he would; that is a mistake.
824. Unless you told him what the truth was, or however much he might venerate the truth, that would come to nothing; you must have told him what you were going up to London for?—On a Speaker's warrant.
825. Yes, but to say what; did you tell him that you had signed a paper?—I did.
826. You told him you had signed a paper;

did you tell him what was in it?—No, I think not.

827. Oh, now, recollect yourself; you had discovered a plot, you say?—I told him I had discovered it, but I did not tell him what was in it.

828. You see I can help you?—No, you cannot; you asked me whether I told him what was in it; I did not.

829. That you had discovered a plot?—Yes.

830. And that you had signed a paper?—Yes.

831. Did you tell him you would get the money out of the other side, and that you would contradict everything you had said?—I do not think I said that; it is at a loss I am here.

832. Do you mean to say that Mr. George Morris will not consider your having discovered a plot?—I am as satisfied of it as that you have a wig on.

833. Do not be certain of that?—If Mr. Morris or any other person dares to do so, I look on it as a gross insult.

834. If anybody dares to offer you money, you will consider it a gross insult?—I will take my expenses; for what purpose do you mean.

835. Do you mean that if Mr. Morris, out of regard for your excellent conduct in discovering a plot, were to offer you money, you would consider it an insult?—Yes.

836. And you would not take it?—I would not take it; and adding to insult a gross insult.

837. Very well, I will take the adjective as well, a gross insult; well, now, I will leave you to my friends, who perhaps may get something out of you?—I beg your pardon.

Cross-examined by Mr. Blake.

838. You have known Mr. Morris for a great many years?—Yes.

839. You heard Mr. Morris intended to seek the representation of the town of Galway for some years before?—Yes, I did.

840. You saw him, I think, shortly after the assizes in March 1855?—I think I did.

841. Was it in March or April?—I do not know exactly about the time; I know I saw him.

842. He canvassed you then, I believe?—He did.

843. He was alone, I believe, at the time he canvassed you?—He was alone.

844. Do you recollect the time that Mr. Morris arrived in Galway, just about the time that the writ arrived, and addressed the people at the Square?—Well, you know, I never go about at all; I always work.

845. But do you recollect something about it?—I think I recollect something of that; I heard people talking of it, but I never go out to see anything at all.

846. Now, did you promise Mr. Morris in March that you would support him?—A good while before the election; I cannot say when it was.

847. Now from the time that you then promised him until the day of the election, did you ever see Mr. Morris again; have you any recollection?—I will not swear I never saw him, but I will swear I never spoke to him; of course you mean Mr. Michael Morris.

848. Yes, Mr. Michael Morris; now, I think it was within the last two or three days that you told

told Mr. George Morris anything at all about that document?—It was.

849. Up to that time, had you told any person, Mr. George Morris or Mr. Michael Morris, anything at all about it?—I had not even told my wife.

850. Not Mr. George Morris?—No, not a single soul; not even my most intimate friend.

Cross-examined by Mr. Coffey.

851. Just one word; now, did you receive five notes from Mr. Kirwan, the pawnbroker?—I did not; nor five farthings.

852. Did you, for your vote at the last Galway election, say to Mr. Madden that you had been paid the money, and it was a fair bargain between you and Mr. Kirwan?—No; I never told Madden any such thing.

853. You never said anything of that sort?—Not to Mr. Madden; is that what you asked me.

854. Yes?—I never said it to Mr. Madden.

855. Now, if anybody said that you admitted that you had received money, and that you told Madden that it was a fair bargain between yourself and Mr. Kirwan, would that be true?—Say that again, please.

856. If anybody said that you informed Madden that you had received money from Kirwan for your vote, and that it was a fair bargain between you and Mr. Kirwan, would that be true; do you say that?—Did I say it; it is written in a letter, and I indorsed the letter.

857. In point of fact, did you say to Madden, coming out of Kirwan's, the pawnbroker's house, that you had got money from him, and that it was a fair bargain between you and Mr. Kirwan; did you say that to Madden?—I don't recollect ever having said that.

858. Now tell me, do you recollect the day that the election for Galway was held; the polling day?—Well.

859. Did you go into Kirwan's, the pawnbroker's, the night after the election, and get any sum of money from him whatever?—I think it was the night of the day of the election, I think so, that I went in. Mind you, I don't mean to say that it was the night of the day of the election that I went in and got money; that is what you said.

860. I will put it shortly; after the election, whether a day, or two days, or three days, but after the election, did Kirwan hand you any money?—No.

861. In any shape of form, notes or gold, or anything else?—No.

862. At any time?—No; at any time he did not.

863. Did you directly or indirectly receive any sum of money from Kirwan?—Not the value of a farthing from Kirwan or any other being, nor a promise of anything.

Re-examined by Mr. Sergeant Ballantine.

864. Have you seen Kirwan here?—Where.

865. Well, you know where you are, don't you?—I have not seen him here.

866. Have you seen him outside?—Yes.

867. Have you spoken to him?—Yes.

868. When, on Saturday?—No, just now, this

274.

moment; I did not see or look for him; I met him accidentally in the hall outside.

869. Did you see Kirwan on Saturday?—No.

870. When did you come to London?—I forget precisely the day, I have been so knocked about; there is Mr. Connaught there.

871. I know Mr. Connaught; when did you come to London; you do not want a witness to that?—No; it is just that I want to recollect it, I am so knocked about.

872. Oh, how very shocking; but when did you come to London?—I think it was Friday night.

873. Do not you know?—Yes, Friday night.

874. Where did you go to?—No; it must be Friday night I left Galway.

875. Well, you know that is very different?—I declare I don't recollect, simple as it may be.

876. Do you mean upon your oath, sir, to tell the Committee that you don't know when you came up to London?—I have no interest in the world to deny that.

877. Just answer the question, and don't make speeches about your interest?—Will you have the kindness to tell me what day was the 4th; I left Galway on the 4th, if that was Friday.

878. Do you mean to tell the Committee that you don't know what day of the week you came up to London, this being Monday; one would almost imagine that you were trying to think how you should account for your time?—Yes, I left on Friday night at 12 o'clock, and I arrived on Saturday evening about seven o'clock.

879. Where did you go to?—Stay now, just till I think; I don't know London at all.

880. Where did you go to?—I went astray yesterday; I came to Euston station; I went in a railway underground to some other place, and then I went to a place where I slept.

881. Where is the house?—I could not tell you; I was looking for it for three hours, and I could not find it.

882. You have no notion?—I think I have.

883. Could you give me any idea of where it was?—I think it is a place called the York-road.

884. Who was with you?—A gentleman of the name of Mr. Hart.

885. Anybody else?—Not a soul.

886. Did you see Mr. Reddington?—Which Mr. Reddington.

887. Did you see any Mr. Reddington?—When.

888. On Saturday night?—No.

889. On Sunday?—I did on Sunday.

890. He is the agent for Sir Rowland Blennerhassett, is he not?—Indeed I cannot say myself.

891. Where did you see Mr. Reddington?—When did you say, or where.

892. When?—On Sunday morning.

893. In the York-road?—No.

894. What did he come to see you for?—He did not come to see me.

895. Where did you see him?—I went to see Mr. Reddington.

896. Where?—At the "Westminster Palace Hotel."

897. How came you to go there?—I walked there.

898. How was it you went to find Mr. Reddington, the agent for Sir Rowland Blennerhassett?—How did I come to see him.

899. That is exactly my question?—What is the reason that I did.

900. Yes, how did it happen that you went to

Mr.
T. Dillon.
7 May 1866.

Mr. T. Duffin. see Mr. Reddington?—For what reason did I go to see him him.

901. That is the question, and I am rather glad of your repeating it, because it shows you understand it?—I went to see him to tell him.

902. To tell him what?—That there was a plot against Sir Rowland Blennerhassett.

903. On Sunday you went to tell Mr. Reddington that there was a plot?—Against Sir Rowland Blennerhassett.

904. I thought you said you did not know who Mr. Reddington was?—I did not say any such thing.

905. Did you know he was agent for Sir Rowland Blennerhassett?—That is another thing; I know him very well; I did not know he was agent.

906. Did you know he was the agent for the sitting Member?—I did not.

907. Do you know whether or not he is agent for the sitting Member?—I cannot say whether he is or not; I know that Mr. Reddington is a solicitor.

908. Who was it who told you to go to Mr. Reddington in the "Westminster Palace Hotel;" you must know that, so out with it?—I am just thinking I have the address with me in my pocket-book.

909. You have got it with you, have you; show it me; out with it?—Here it is (*pulling out his pocket-book*); I will tell you who gave me the address.

910. Who gave it to you?—Mr. Peter Phinn, of Galway.

911. Who is Mr. Peter Phinn, of Galway?—I will tell you; he is Peter Phinn, of Galway.

912. You know what he is?—I do.

913. And what is he?—A grocer.

914. And how came he to give you the address?—I asked him for it.

915. For what purpose?—For the purpose of speaking to Mr. Reddington.

916. Is Mr. Reddington here to-day?—He is in court, I suppose.

Mr. Coffey.] Yes.

917. Mr. Serjeant Ballantine.] I will just ask you, in the presence of Mr. Reddington, what was said about expenses?—Not a word, that I am aware of.

918. Now, upon your solemn oath, was nothing said about money between you and Mr. Reddington?—Upon my solemn oath there was not.

919. Nor about expenses?—No.

920. On your solemn oath?—On my solemn oath.

921. Not a word about expenses; now be cautious, because we shall have Mr. Reddington here presently?—There certainly was not.

922. That you swear?—I do.

923. Mr. Coffey.] This is the gentleman you are referring to (*pointing to Mr. Reddington*)?—That is the gentleman; not a word about expenses or money, with respect to either of the Mr. Reddingtons.

924. Did you see the other then?—I saw him to-day, outside in the hall.

925. Had you any conversation with him?—I had.

926. What about?—He knew that you were coming here as our Witness, you know.

Mr. Coffey said he had not interposed so long as the examination was confined to any

conversation that might have occurred between Sir Rowland Blennerhassett's agent and the Witness, but now that the evidence was travelling beyond that limit, and was relating to matters that had not been referred to in cross-examination, he felt it necessary to object to the question.

Mr. Serjeant Ballantine was heard against the objection.

Mr. Coffey was heard in reply.

The *Chairman* said that the Committee were of opinion that the examination must be confined to matters arising out of the cross-examination.

Mr. Serjeant Ballantine said, then he would leave it as it stood, that one of the Mr. Reddington's was talking with the Witness in the passage to-day.

The *Chairman* asked which of the Mr. Reddingtons was referred to.

Mr. Coffey replied that it was Mr. Samuel Reddington with whom the Witness had stated he had a conversation at the "Westminster Palace Hotel."

The *Chairman* asked the name of the other Mr. Reddington.

Mr. Coffey replied that it was John Reddington.

The *Chairman* asked if the two Mr. Reddingtons were in partnership.

Mr. Coffey replied in the negative, and stated that upon consideration he would withdraw his objection.

927. By the Committee.] Who pays you for your expenses?—I cannot say until I get them.

928. Do you not know at all who gave you the money you have received?—What money?

929. The money on account of the expenses with regard to which you objected to be sworn until you were guaranteed the whole of them?—Oh, that is three guineas.

930. Well, who has paid you that?—I suppose Mr. Lever.

931. These are the people that you have let into the trap?—No, not that I have let into a trap; they have let themselves into a trap.

932. These are the people with respect to whom you signed the paper?—I did.

933. What is your business; what are you?—I am a watchmaker.

934. Do you keep a shop?—I do.

935. How many working watchmakers have you under you?—None.

936. Have you no apprentices and no workmen under you?—No, not at present.

937. How many persons have you to help you in the shop to serve customers?—None at all.

938. Have you a family?—Yes.

939. How old are they?—One of them, the eldest, is 13; and the youngest is two years old.

940. Have you had any conversation with anybody before this morning about your expenses of coming here as a witness?—It was a general kind of thing in Galway; one person was asking the other about it (that is those who were coming to the election), as to what they would be losers by it.

941. What

941. What did they say to you?—One man said he would get 60*l*.

942. What for?—For his expenses; and another said that he would not get half as much; they were just guessing at it; you asked me if we had any conversation about it, and that is the conversation of several persons.

943. Had you no conversation with anybody, beyond your expenses; that is, had you no conversation with any legal or other gentleman as to your expenses of coming here?—No.

944. You came to London on the chance of being repaid?—No; I had the Speaker's warrant, and I understood that that was a guarantee for the expenses being paid; I came on the good faith and respectability of the Speaker of the

House of Commons, and he is a very respectable man, I believe.

The Witness was directed to withdraw; and, having done so, returned almost immediately, stating that he could not get any money for his expenses.

The *Chairman* informed him that he was only entitled to legal and necessary expenses; that his proper course was to go to the Speaker's Counsel, who would examine him, and certify to what amount he was entitled, which he would then be able to recover from the agents: he was then directed to withdraw.

Mr.
T. Dallas.

7 May 1866.

Mr. JAMES ORMSHAW was called in; and, having been sworn, was Examined by Mr. *Jadewick*, as follows:

945. WHAT ARE YOU?—A freeman.

946. What is your occupation?—A carpenter.

947. Were you canvassed by Mr. Lever?—I was.

948. And did you promise to vote for him?—I did.

949. Do you know John Pierce?—I do.

950. Were you canvassed by Pierce?—I was.

951. For whom?—Mr. Morris.

952. Were you canvassed by any one for Sir Rowland Blennerhassett?—Well, indeed I was not altogether for Sir Rowland Blennerhassett.

953. What do you mean by not altogether; were you canvassed at all for Sir Rowland Blennerhassett?—John Pierce never told me anything at all, but canvassed me for Mr. Morris.

954. Do you know Mr. Reddington?—I do.

955. Samuel Reddington?—Yes, sir.

956. Were you employed by Mr. Reddington at the time of the election?—I was.

957. As what?—As agent.

958. What were you to do; as what agent were you to act?—I was to see what I could do to get men to poll for Sir Rowland Blennerhassett and Mr. Morris.

959. What is Mr. Reddington?—He is a gentleman.

960. Is he a solicitor?—Yes.

961. Did you set upon that employment, and get the voters up to the poll?—I did what I could.

962. Did you act as personating agent?—No, not by any means.

963. What did you get for your agency?—Not a shilling.

964. Not a sixpence?—Not a sixpence.

965. Did you get nothing from any one for acting as agent?—Nothing from any one for acting as agent.

966. Who did you vote for?—I voted for Mr. Morris and Sir Rowland Blennerhassett.

967. Why did you not vote for Mr. Lever?

Mr. Coffey objected to the question on the ground that the witness should speak only to acts or facts, and not to motives.

The *Chairman* stated that the Committee were of opinion that the learned Counsel should not press his objection.

968. Mr. *Jadewick*.] I understand you to say, 27*l*.

that you promised to vote for Mr. Lever?—Just so.

969. Was that before or after you were canvassed for Mr. Morris and Sir Rowland Blennerhassett?—About the same day.

970. You say you were not paid anything for your agency?—No.

971. Were you promised to be paid anything?—I was, sir.

972. By whom?—By Mr. Reddington.

973. How much?—I think it was about 5*s*. a day.

974. You expected to be paid that?—I did.

975. By the Committee?—By Mr. Samuel Reddington?—Yes.

976. Mr. *Jadewick*.] How many days were you employed?—About seven days.

977. Do you know John Kirwan?—I do.

978. The pawnbroker?—Yes.

979. Did you ever have any money from John Kirwan?—No.

980. Never?—Never.

981. Just consider; do you mean to say that you never had any money at all from John Kirwan?—Well, if I had some money from him he took it back again, and would not give it to me.

982. Did you have some from him?—I never got in my possession any money from him; he handed me 5*s*. for a drink with a few men that were with me, and he took it back again.

983. Did you get 5*l*. from John Kirwan?—No.

984. You did not?—No.

985. Do you know Edward Murdon?—I do.

986. Did you ever tell Edward Murdon that you had 5*l*. from John Kirwan?—Never.

Mr. Coffey asked the learned Counsel upon what case he was examining the Witness.

Mr. *Jadewick* replied that he was examining in reference to the case of the Witness himself.

987. Did you receive any money from Mr. Higgins or Mr. Burke?—No.

988. Nothing?—No.

989. Did you ever state in the presence of Edward Murdon that you had had 5*l*. for your vote?—I am sure I did.

990. Was that true?—That was true.

991. From whom did you receive the 5*l*?

[The Witness was directed to withdraw.

Mr.

Mr.
J. Ovenshaw.
7 May 1896.

Mr. Coffey objected to the question.

Mr. Serjeant Ballantine was heard against the objection.

Mr. Coffey was heard in reply.

The Chairman stated that the Committee were of opinion that the question was one that might be asked.

The Witness was again called in, and the examination proceeded as follows:

982. From whom did you receive that *51*, for your vote?—From Mr. Fahy.

983. For whom did you vote?—For Sir Rowland Blennerhassett and Mr. Morris.

Mr. Serjeant Ballantine, in reply to the Chairman, stated that he had concluded his examination in chief.

Mr. Coffey stated that he did not intend to cross-examine the witness.

Mr. Serjeant Ballantine applied that the name of Fahy might be added to the list of *hithers*, on the ground that the Witness had

deceived those to whom he had given the information from which they had supplied the list of *hithers*.

An Honourable Member asked if the application was made on the ground of surprise.

Mr. Serjeant Ballantine replied in the affirmative.

Mr. Coffey was heard against the application.

Mr. Serjeant Ballantine was heard in reply.

The room was cleared.

After some time the Counsel, Agents, and Parties were called in, and informed by the Chairman that the Committee would allow the list to be amended under Resolution 4, by the addition of the name of Fahy, on the understanding that the learned Counsel undertook to give evidence inculpating Fahy as an agent.

[The Witness was directed to withdraw.

PATRICK NEEDHAM, was called in; and, having been sworn, was Examined, by Mr. Serjeant Ballantine, as follows:

P. Needham. 984. Is your name Patrick?

Mr. Coffey asked whether this Witness was produced under the Resolution which had just been come to by the Committee, with a view to prove the agency of Fahy.

Mr. Serjeant Ballantine replied that he should prove agency.

Mr. Coffey asked whether the learned Counsel (Serjeant Ballantine) intended to comply with the requisition of the Committee, and give an undertaking to prove that Fahy was an agent.

Mr. Serjeant Ballantine said that if he did not prove it, the evidence he should give would be struck out.

Mr. Coffey pressed for a more direct reply to his question.

Mr. Serjeant Ballantine asked if Mr. Coffey wished to know whether he (Mr. Serjeant Ballantine) would prove the agency.

Mr. Coffey replied in the affirmative.

Mr. Serjeant Ballantine said he would undertake to prove that agency, if the Witness, upon whose evidence he should endeavour to prove it, had not been tampered with. He was instructed that he should be able to prove the agency.

The Chairman stated that the learned Serjeant must undertake to give evidence in proof of the agency, or withdraw the name.

Mr. Serjeant Ballantine replied that all he could say was that he was instructed he could prove agency.

Mr. Coffey contended that this was not a compliance with the undertaking which the Committee had required.

Mr. Serjeant Ballantine stated that he was informed that the Witness named Edward Mardon would prove the agency *enidit gwaetha*, and any evidence that he might give could be struck out.

985. Now, Needham; your name is Patrick?—Yes.

986. Do you live at Galway?—I do, but I am in London now.

987. Are you one of the freemen?—I am.

988. You voted at the last election?—I did.

989. For whom did you vote?—I voted for Mr. Morris and Sir Rowland Blennerhassett.

1000. Were you employed by them?—I was employed by Mr. Morris's agent.

1001. As what?—As a personating agent.

1002. Explain what you mean by a personating agent. Did you find somebody out?—There were two men; one came first and he had no vote, and voted for the other man; when the one man came he would not be allowed to vote.

1003. You acted at the booth?—I put a stop to it; Mr. Lever came, and Father Daly with him, and he would not be allowed to vote; Mr. Lever asked what my name was, being a personating agent, and I told him my name was Needham, and he told me he would have me in London to prove against that man; I told him that whenever he would bring me I would go with him to prove the truth.

1004. You found out some one who was not a proper voter?—I found out that man; he was no proper voter.

1005. By the Committee. Whom do you mean by Mr. Morris's agent?—Who do I mean by it; I mean that his attorney appointed me.

1006. What was his name?—Mr. Higgins, and he paid me for the agency too.

1007. Mr. Serjeant Ballantine. How much did you get?—£. 1.

1008. For the polling day?—For the agency.

1009. You voted yourself?—I did.

1010. You

1010. You know Kirwan?—I do.
1011. What is Kirwan's business; he is a pawn-broker, is he not?—Yes, he is.
1012. Is he anything else?—I do not know that, but I know that he keeps a pawn office.
1013. Did you get anything from him?—I have had some clothes from him.
1014. Are those the clothes that you have on?—Yes; some of them.
1015. What did they come to?—About 19 s.
1016. Have you paid him the 19 s.?—I did not.
1017. What did you do?—He stopped it out.
1018. Out of what?—Out of the 5 l. that was coming to me for my vote.
1019. Did you get the balance?—I did.
1020. Four pounds one shilling?—There was 3 l. coming to me; I owed 1 s. 6 d., and I gave him 1 s. 6 d., and he gave me 3 l.
1021. Were there other things in pawn; had you anything in pawn?—I had nothing in pawn, but he gave me 18 s. to get a pint of porter for myself, and 1 s., and that was 2 s. 6 d.; and I got all the balance up to 5 l.; he stopped it all when he was paying me the 5 l.
1022. But he stopped nearly 2 l.?—£. 2.
1023. You only got 3 l. you say?—He gave me a sovereign.
1024. That included the sovereign for your being an agent?—I voted on Saturday the 15th July, and then on the Tuesday I got a sovereign from him; and on the Tuesday he told me to call on the Saturday, and then he would pay me; I went up on the Wednesday, and I bought some things from him; there was 18 s. that he gave me to refresh myself with, and 1 s., which made half-a-crown; then he gave me a sovereign on Tuesday, on the 18th of the month, and told me he would pay me on Saturday; and I went on Wednesday and bought articles from him, and he gave me the balance of the 5 l.
1025. Do you know a person named Lennard?—No.
1026. By the Committee.] You say you were employed by Higgins as agent?—I got 1 l. from him on Tuesday.
1027. Were you paid that 1 l. by him or by Kirwan?—By him.
1028. But Kirwan stopped it out of the 5 l.?—He did not; I was paid as personating agent 1 l.
1029. You got the balance of the 5 l. from Kirwan?—Yes.
1030. You got 6 l. altogether, when we add the agency?—Yes.
1031. Mr. Serjeant Ballantine.] Had you a polling ticket when you went up to poll (showing the *Witness a ticket*)?—I had Mr. Morris's polling ticket.
1032. Not Sir Rowland Blennerhassett's?—No.
1033. Did you ask for a ticket?—I asked for a ticket, and that is the ticket that I got.
1034. At the polling?—Yes; then I was told by Kirwan that Kirwan had my ticket, and I kept that in my pocket.
1035. What for?—Because I did not know whether I would not be paid as much more for that as I was paid for Mr. Morris's.
1036. By the Committee.] For what?—As personating agent, for they had no'er a one but myself.
1037. You thought that you might get another

- 1 l. from Sir Rowland Blennerhassett?—Yes, surely.
1038. Did you get it?—I did not.
1039. Mr. Serjeant Ballantine.] Do you know a person of the name of Lennard?—No; what Lennard do you mean?
1040. James Lennard?—Oh yes, he is a tailor; I saw him coming out of the pawn office, and he showed me the notes in his fist, and he said, "Go in now, he is now in the pawn office."
1041. He showed you the notes in his fist?—He did.
1042. Was Lennard a voter?—He was.
1043. How many notes did he show you?—Five notes.
1044. What did he say when he showed you these five notes?—He told me that Mr. Kirwan was inside, and that I would get my money.
1045. He was coming out of the pawn-shop, and showed you five notes?—Yes.
1046. By the Committee.] Did Lennard state to you what amount he had received, when he showed you the notes in his fist?—He showed me the five notes, and told me that Kirwan was inside, and that I would get my money.

Cross-examined by Mr. Blake.

1047. Did you promise Mr. Morris to vote for him, some time before the election?—I did not promise Mr. Morris, for Mr. Morris never came to me.
1048. Did he not go to you at all?—I voted for him, but Mr. Morris never came to me; neither did Sir Rowland Blennerhassett come to me.
1049. You were employed as a personating agent in the booth for Mr. Morris?—I was.
1050. And for that you were paid the sum of 1 l.?—I was.
1051. That did not form part of the 5 l. which Mr. Kirwan was to pay you?—It did not.
1052. Do you recollect the person who actually paid you the money as personating agent?—I do.
1053. Who was it paid you; was there a person of the name of Mr. Burke?—Mr. Burke gave it to another attorney, and he handed it to me; Higgins drew a receipt, and I signed it; and I did not receive the 1 l. note till I signed it.
1054. Do you know whether Mr. Burke was acting as election agent for the expenses of Mr. Morris?—I do not know whether Mr. Burke was acting as that or not, but I knew that Higgins was.

Re-examined by Mr. Serjeant Ballantine.

1055. Who is Mr. Burke?—I believe he is an attorney; he was a very big man; I did not know who he was; I heard his name was Burke.
1056. Do you mean big in size, or only in importance?—He was very large in size; he was a giant; I know he was twice as bulky as Mr. Higgins.
1057. What was Mr. Burke doing?—He was sitting down, and he had a purse of money, which he was giving to those who were being employed.
1058. Employed by whom?—By Higgins; I know that I got 1 l.
1059. By the Committee.] Was any one present when you received that 3 l. and the 1 l. from Kirwan?

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P. Needham. Kirwan?—No, I got part of it before the election commenced, and I got part on the day of the hustings, and part of it the day after; and then I was acting as personating agent, as I told you before, from eight to five o'clock, and I could not leave the room I was in; and when I went out after five on Saturday evening, I sent to him, when I was told they were getting the money, and he told me to come on Monday.

7 May 1866. 1060. Was any one present when you received the money?—No one.

1061. You were alone?—I was alone.

1062. No one saw you get it on any occasion when you received the money?—No one, unless the boys that were behind the counter belonging to himself were there, and saw me; there was no one else.

1063. There was a boy behind the counter?—There was.

1064. What aged boy?—One was a large boy, and another a small boy.

1065. Then there were two boys?—Yes, belonging to himself; boys that slide down articles and slide them up again.

1066. Did they see you?—They did see me.

1067. They saw you get the money?—They did.

1068. Why did you tell me that no one saw you?—I did not say any such thing; I said that there was no freeman looking at me; there could be no other thing than the boys belonging to the shop.

1069. Were you in the shop each time you received the money?—I was in the shop each time.

1070. You got all the money in the shop?—All the money in the shop; the clothes that I got were stopped out of the money.

1071. Do you know the names of either of these boys?—I cannot tell you; I do not know the names, because I do not visit them very often; if I did I could tell you them.

1072. What age were those boys?—I could not tell you that either.

1073. About what age?—One of them was I believe about 20 years of age, and the other was less than that.

1074. Was he the eldest or the youngest?—He was.

1075. Which was he, the eldest?—I suppose the 20-year boy was older than 10 or 12-year boy.

1076. Have you had much business with Mr. Kirwan before?—No.

1077. Was that the first time you had pawned any clothes at Kirwan's?—No.

1078. It was not the first time?—No.

1079. Was this shop where you received the money an open shop where the public had access?—He had a shop where he sold clothes.

1080. Was it an open shop; was it a shop where the pawnbroker's business is ordinarily conducted?—Part of it was open and part of it was not.

1081. Where you received the money, was that open?—It was in the pawn office that I received it.

1082. Inside?—Yes; in the hand-me-down shop as they call it; I got the clothes in this shop, and I got the money in the other shop.

1083. Was that the inner shop or the outer shop?—There was only a door between them.

1084. There was a door between the shop in which you got the money and the shop in which you got the clothes?—Yes.

1085. Do the public go into the shop in which you got the money?—They go in to buy goods.

1086. Where you got the money?—Where I got the money; they go in to pawn where I got the money.

1087. It was in the shop open to the public in which the money was given to you?—It was.

[The Witness was directed to withdraw.

ANDREW COEN was called in; and, having been sworn, was Examined as follows, by Mr. Serjeant Ballantine:

A. Coen. 1088. You are a little deaf, are you not?—Yes, with the great cold that I have got.

1089. Can you hear me speak?—I can.

1090. What are you?—I am a carpenter by trade.

1091. Do you live at Galway?—I do.

1092. You are a freeholder, are you not?—Yes.

1093. Not a freeman but a freeholder?—Yes.

1094. Do you know a person named Hughes?—I do.

1095. Did he canvass you to vote for any one?—No, he did not.

1096. Recollect yourself?—I do recollect myself.

1097. He did not canvass you?—He spoke on the subject.

1098. Did Hughes promise you anything for your vote?—No; but he told me that I could get 5*l*.

1099. He did not promise you anything, but said that you could get 5*l*.?—Yes.

1100. If you voted for whom?—I suppose for Mr. Morris and Sir Rowland Blennerhassett.

1101. You did vote for them?—I did.

1102. Did Hughes tell you to whom you were to go for that money?—I was told to go down to Brady's office, where he was giving out the money;

whose money it was, I do not know; it was just in the rear of his own house.

1103. Did you get any money?—No, I did not, for I was tired and I went home.

1104. You have got a wife?—I have.

1105. Shortly after the election, did your wife bring you any money?—

[The Witness was directed to withdraw.

Mr. Coffey objected to the question as not relevant to the inquiry.

Mr. Serjeant Ballantine said that he would not argue the point, he would simply repeat the question.

The Chairman stated that the Committee were of opinion that the question was a proper question.

The Witness was again called in, and the examination proceeded as follows:

1106. Did your wife hand you 5*l*.?—She did.

1107. How soon after the election?—I believe two days after the election; no, it was the very same day; it was in the evening after the election; it was on a Saturday.

1108. I do

1108. I do not ask what your wife said about it to you, but after you had been handed over this 5*l.*, did you see Kirwan?—No; Kirwan in two days afterwards came to my house.

1109. Two days after, you saw Mr. Kirwan?—He came to the house.

1110. He came two days afterwards?—Yes.

1111. What did he say to you?—

Mr. Caffey objected to the question.

Mr. Serjeant Ballantine said, he would substitute another question for it.

1112. Did he come to you in reference to this 5*l.*?—He did.

Mr. Caffey again objected to the question and to the answer being received.

Mr. Serjeant Ballantine was heard against the objection.

Mr. Caffey was heard in reply.

The *Chairman* stated that the Committee were of opinion that the question might be put.

Mr. Serjeant Ballantine.] Did Kirwan come to you?—He did.

1113. What did he say to you?—He said there was a mistake in the number of the notes.

1114. What did he say was the mistake?—He wanted to see the number of the notes.

1115. Did he say what the mistake was?—I sent to my box and handed him three notes, and he rolled them up in his hand and put them in his pocket, and told me he was at the loss of 2*l.* more.

1116. You had spent two of the notes?—My wife had laid them out.

1117. So you only had 3*l.* left?—Yes.

1118. He took the notes to look at?—Yes.

1119. And then put them in his pocket?—Yes.

1120. What was the mistake, did he say?—He said that he was a loser by 2*l.*

1121. Did he say anything about it?—He said no more about it, but walked out of the door.

1122. You were not quite satisfied with that, were you?—No.

1123. Did you examine him?—I did.

1124. You went before a magistrate?—I did.

1125. Did you get the money back?—From Fenton, I got the money back.

1126. You went before a magistrate?—I went along with Mr. Concessman.

1127. And you made a statement on oath?—I did.

1128. How soon afterwards did you get the 3*l.* back?—I believe in about half an hour.

1129. After you laid the information, in half an hour you got the money back?—Yes.

1130. Did you get it back from him?—From Fenton, and Kirwan was alongside of him at the time.

1131. Who is Fenton?—He is a broken-down merchant, or something of that sort.

1132. He gave you the 3*l.*?—He did.

1133. That is the way that you settled the thing?—I forgave him then, and he was obliged to hand over 2*l.* to Mr. Concessman for his costs.

1134. By the Committee.] Did Kirwan give that to you or Fenton?—He did.

1135. Which of them?—Kirwan did out of 2*l.*

his own pocket, and he was obliged to go down to his own house to bring up the 2*l.* to Mr. Concessman.

1136. Mr. Serjeant Ballantine.] You have a wife?—I have indeed.

1137. Was she served with a Speaker's warrant in your presence?—I know nothing at all about it.

1138. She is not here, is she?—I do not know where she is; she is a delicate woman; I do not think she is here.

1139. I never will believe that an Irish gentleman does not know where his wife is; you say she is a delicate woman?—She is.

1140. Do you know that she has been desired to attend here?—No; I know nothing at all about it.

1141. You have not heard from her at all?—No.

1142. By the Committee.] Is she in Galway now?—I declare I cannot say, sir; I do not know but what the woman may be dying; she was very bad-sick when I left Galway.

1143. Was she in bed?—Yes, she was.

Mr. Serjeant Ballantine stated that he should call a person who would prove that the Speaker's warrant had been served on the Witness's wife.

1144. Now look at this card; was this the card you had (*handing over to Witness*); is that one of the cards that you had, or is it like one of the cards that you had?—It is the very card.

1145. You are called a freeholder?—Yes.

1146. Look at the back of it?—That was the mark that Hughes put upon it.

1147. When he gave this card?—Yes, for me to go round and get the 5*l.*

1148. Where was Hughes when he gave you the card?—In his own shop.

1149. Just attend to this question; when Mr. Kirwan gave you the 3*l.* he paid Mr. Concessman the 2*l.*; did Mr. Kirwan make any remark about any money that he had lost?—No, not a word; I did not speak a word to him since.

1150. Did you hear him make any remark?—No, I did not have any conversation, nor have I seen him since the election.

1151. Do you know whether there was any difference about the freeman and the freeholder?—I do not.

1152. You think you were fairly entitled to the 5*l.*?—Though I got 20*l.* I would take it.

Cross-examined by Mr. Blane.

1153. You have known Mr. Morris a long time?—I have.

1154. I believe you know his father?—I did.

1155. You have a son a clergyman?—I have, and another a monk.

1156. I believe that that clergyman and Mr. Morris are rather on intimate terms?—I believe they are.

1157. Do you recollect some time before the election, a little after the assizes, Mr. Morris canvassing at your house?—I do, to be sure; and if there was an election to-morrow I would vote for him.

1158. Did you promise him at that time when he canvassed you to vote for him?—I did, and told him he had no occasion to call upon me at all for my vote, for he had a right to know that I would vote for him.

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1159. And

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1159. And I suppose that I may fairly understand that you intended to keep your promise with him at the election?—There is no mistake about it, and so I did.

Cross-examined by Mr. Coffey.

1160. I suppose there were cards for all the candidates, as well as for Mr. Morris and Sir Rowland Blennerhassett; was there not a similar card to that?—That is a thing I do not know; I suppose there must be some cards for Mr. Morris.

1161. Were there cards of the same description?—I saw no cards but that; I do not think Mr. Morris laid out a penny.

1162. Mr. Blake. What did you say?—I do not think that Mr. Morris gave a penny to any voter.

1163. Mr. Coffey. I ask you whether you do not know that cards of a similar description to that were used by all the candidates?—That is a thing I cannot state; this is the only one I got.

1164. You got that in the tally room?—Yes.

1165. That is the card that you handed to the deputy-sheriff to let him take your number?—I handed it to Mr. Coen.

Re-examined by Mr. Serjeant Ballantine.

1166. What did you take the 5 L. for?—My wife got the 5 L. from Kirwan out of his office for my vote; here is the very card, and with that card she got it and handed it to me.

1167. You got the 5 L. from your wife?—I did.

1168. What did you take it for?—For my vote.

1169. For your vote for whom?—

Mr. Blake objected to the question.

Mr. Serjeant Ballantine said that he would leave it in the hands of the Committee.

1170. By the Committee. Whom did you vote for?—For Mr. Morris and Sir Rowland Blennerhassett.

1171. You state that Mr. Hughes asked you to vote for Mr. Morris and Sir Rowland Blennerhassett?—No; I told him myself that I would.

1172. He canvassed you?—We spoke about it.

1173. He said you would get 5 L.?—He said that, and I told him that I would not go down; and he said, "Well, then, send your wife down, and you will get 5 L."

1174. Who did he say you would get it for voting for?—He did not mention; but he told me to go down to Kirwan's office, and that it would be got.

1175. He told you to send your wife for it?—He told me, when I refused to go, to send my wife for it, and so I did, and the money was got; I did not like to go myself.

1176. This is the card that you received from Hughes?—No, not from Hughes; but I got it where they were voting.

1177. You did not receive this card from Hughes?—I got that after voting.

1178. After voting?—Yes.

1179. From whom?—Out of Sir Rowland Blennerhassett's office.

1180. Who gave it to you?—One of his clerks.

1181. You do not know who?—I do not know whom it was.

1182. You got that after you voted?—Certainly.

1183. For what purpose did you get that card?—Hughes told me to go down after voting, and that I would get the 5 L.; I told him that I would not, and he said, "Send down your wife, and she will get it for you."

1184. What was your objection to applying for that card?—I was told to do so when they brought me in to vote; I knew nothing about it, and I called for that card, and they gave it to me.

1185. You received that card after you voted?—Yes.

1186. Why did you apply for that card?—I did not apply for it, but they gave it to me, and said I was entitled to it.

1187. What use did you make of it?—I made use of it; I showed it to Hughes.

1188. What did you understand it was for?—I understood right well that I would get the money upon it.

1189. Here is a card with "Sir Rowland Blennerhassett" upon it; was a card like that given to all the voters?—All that voted for him.

1190. Was a card like this given to all that voted for Mr. Morris?—I did not see any one of Mr. Morris's cards at all; I do not know what sort they were.

1191. Was a card like this given to all that voted for Mr. Lever?—I did not see one of Mr. Lever's cards either.

1192. Were cards like this given to those who voted for Mr. Stuhler?—I did not see one of Mr. Stuhler's cards either.

1193. Mr. Serjeant Ballantine. I omitted to ask if this man's wife was examined in his presence?—No; but I was examined first, and she was examined afterwards by another magistrate.

1194. By the Committee. Was your wife examined by the magistrate in your presence about the matter between you and Kirwan?—Not in my presence; Marden brought her down.

1195. Was she or not examined in your presence?—No, sir, she was not, but she was brought down immediately.

Mr. Coffey. Will the Committee ask this man at what period he got the card which has been produced here, and at what time in the morning.

1196. By the Committee. When did you vote?—I voted after 12 o'clock.

1197. When did you receive that card?—After voting.

1198. Immediately after voting?—I received it immediately after voting; it was handed to me.

Mr. Serjeant Ballantine handed a document to the Committee, and asked them to ascertain from the witness, whether it was in his wife's handwriting.

1199. By the Committee. Is that signature of Elizabeth Coen (handing a document to the Witness) in your wife's handwriting?—I am not acquainted with her writing; it is a long time ago since I saw her write anything.

1200. Mr. Serjeant Ballantine. If you do not know her handwriting, I will not ask you about

about it?—I do not know it; I know nothing about it.

1201. By the Committee.] When your wife left, did you give your wife that card?—I did, and on that card she got the money.

1202. When that card was given to you, did you ask any one why it was given to you?—No, I did not, but I was told to go down to Brady's office, and that I would get it.

1203. You were told that without asking?—I was.

1204. Who told you that?—Concannon himself.

1205. Which Concannon?—Patrick Concannon.

1206. Patrick Concannon told you that if you took that card?—He brought me down part of the way to Brady's office, and I told him I was ashamed to go into it, and I walked away, I did not go in there, there was such a deal of people.

1207. You sent your wife instead?—I was told to send her.

1208. There is some writing on the back of this card, "John B. H." was that on it when the card was given to you?—No; Hughes put that upon it; that was the mark to get the money.

1209. When did he put it on?—On Saturday night.

1210. Did you see him put it on?—The very same day I did.

1211. You saw him put it on?—I did; there is no mistake at all about it.

1212. There is another mark on it in pencil, which I cannot read?—I know nothing at all about that; I put no mark at all upon it.

1213. I draw your attention to that mark, and I ask you to explain it; do you know the history of it?—I do not think there was any mark upon it but the one; Mr. Concannon might put a mark upon it.

1214. Tell the Committee if you can explain that mark upon the card?—No.

Mr. Serjeant Ballantine said he thought he could explain the mark; if it was E.C. it represented Edward Concannon, and had been initiated by his client.

An Honourable Member said that it looked like No. 1, but it was not E.C.

Mr. Serjeant Ballantine having looked at the card, said he could not explain what the mark was.

1215. By the Committee.] Can you afford an explanation of that pencil mark?—No, sir, I cannot.

1216. Was it on when the card was given to you?—No, it was not.

[The Witness was directed to withdraw.

Mr. EDMUND JOHN CONCANNON was called in; and, having been sworn, was Examined by Mr. *Inderwick*, as follows:

1217. WHAT are you?—I am an apprentice to my father.

1218. At Galway?—Yes.

1219. What is your father?—He is an attorney.

1220. Do you know Mrs. Coen, the wife of the last witness?—I do.

1221. Did you serve her with a Speaker's warrant?—I did.

1222. When?—On the 27th of April.

1223. Did you give her any money?—I served her with another notice on the 4th of May.

1224. Did you give her any money?—I did.

1225. How much?—Three guineas.

1226. That was on the 4th of May?—Yes.

1227. Did you serve her with a notice to attend here?—I did.

1228. Is she here?—I do not know.

1229. Mr. Serjeant Ballantine.] Have you seen her here?—No.

1230. Mr. *Inderwick*.] Have you looked for her?—No, I have not.

Mr. Serjeant Ballantine stated that he wished to take the opinion of the Committee as to whether he might ask the witness whether, when he served the notice upon Mrs. Coen, she made any statement to him at the time of the service; because, what she said upon that occasion, if anything, might be matter upon which the Committee might think it fit to report.

Mr. E. J. CONCANNON.

Mr. Coffey was heard against the question being put.

Mr. Serjeant Ballantine was heard in support of the question.

The Chairman stated that the Committee were of opinion that it was not a proper question to be put.

MICHAEL QUALTER was called in; and, having been sworn, was Examined by Mr. Serjeant Ballantine, as follows:

1231. Do you live in Galway?—I do.

1232. Are you a tailor?—I am.

1233. Are you a freeman?—I am.

1234. You have got a vote?—I have.

1235. Do you know a gentleman of the name of Pearce?—I do.

1236. Who is he?—I know him.

1237. What is he?—He is a publican.

1238. By the Committee.] Is it John Pearce?—John Pearce.

1239. Mr. Serjeant Ballantine.] Do you re-

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collect meeting Mr. Pearce on the morning of the election?—I do.

1240. Did he ask you who you were going to vote for?—He did.

1241. What did you say?—I told him that I did not know for a short time; it was early in the morning.

1242. That was on the morning of the election?—Yes.

1243. What did he say?—He told me that if I would

Mr. Qualter.

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I would vote for Mr. Morris and Sir Rowland Blennerhassett, he would give me 5 l.

1244. Did you go with him to Pearce's public-house?—I did.

1245. Did you get anything to drink?—Yes, one glass of brandy.

1246. Who gave it to you?—John Pearce.

1247. Had you seen Pearce canvassing?—Yes.

1248. For Mr. Morris and Sir Rowland Blennerhassett?—No.

1249. For whom?—I think he was canvassing for Mr. Morris.

1250. Mr. Reddell.] You think?—Well, he was canvassing for Mr. Morris.

1251. Mr. Sergeant Ballastee.] Who did he canvass you for?—For Mr. Morris and Sir Rowland Blennerhassett.

1252. You saw him canvassing others?—I did.

1253. Just attend to me for a moment, you say he promised you 5 l., if you voted for Mr. Morris and Sir Rowland Blennerhassett; did you?—I did not.

1254. You voted the other way?—I did.

1255. Did you take the money?—I did not.

1256. Who did you vote for?—I voted for Mr. Lever.

1257. You plumped for Lever?—I plumped for Lever.

1258. Was the money offered you afterwards, or anything said to you about the money?—Not a penny ever was offered to me at the time that I voted for Mr. Lever; not a penny.

1259. Do you know Mr. James Jennings?—I do.

1260. Did you see Pearce give James Jennings any money?—No, I did not.

1261. Did he offer to give him any money?—No.

1262. Are you quite sure?—I am quite sure.

1263. Did you see him offer any?—No; I see him offer so money to any man but myself.

1264. You did not see him?—No.

1265. Does Pearce keep a public-house?—Yes.

1266. Did you see many people at his public-house on the day of the election?—I saw them going in and out previous to the election.

1267. And on the day of the election you saw a good many people going in and out?—Before the election.

Cross-examined by Mr. Reddell.

1268. You are a tailor you say?—Yes.

1269. Do you do any work?—I do whenever I can get it.

1270. You do not get much, do you?—Not as much as I did formerly.

1271. People do not employ you as much?—I am not able to work much.

1272. Have you been in trouble often?—Well, no; I thank my God that I was never in trouble yet; I never had a shilling wrongly; I always earned it.

1273. Were you never had up before the magistrate or at the sessions?—I was.

1274. That is not being in trouble?—No, not one bit; but that is all done away with, all these years.

1275. How many times have you been in trouble?—I could not say.

1276. How many?—I could not tell you.

1277. How many times?—I could not tell you,

but it was not for any disgraceful crime when I was; it was only for taking a glass of whiskey, that is all.

1278. Will you contradict me when I say that you have been up before the magistrate twenty times in your life?—I will not contradict you.

1279. Will you say that it was thirty times?—I cannot say so often as thirty; it may be twenty.

1280. You have been constantly up before the magistrate?—Not for years.

1281. Not lately?—No.

1282. You voted for Mr. Lever, did you?—I did.

1283. You never got anything for your vote, I suppose?—No, I was never promised a halfpenny for my vote.

1284. Did you ever get anything for your vote?—Not from Mr. Lever; I never got a penny for my vote since I was born.

1285. Did you ever get paid for your vote?—Never since I first voted; I never was paid a penny.

1286. Did you get anything last Christmas-day?—I got 2 l. for a Christmas-hum.

1287. Do you usually get 2 l. on Christmas-day?—No, not on Christmas-day; it was three days previous.

1288. It was a Christmas-box?—So the man told me that gave it to me.

1289. Did you believe him?—I did.

1290. Did you ask any questions?—No, no questions at all.

1291. Did you receive a 2 l. Christmas-box the year before?—No, never.

1292. Was this the first Christmas-box you ever received?—It was.

1293. Who gave you that Christmas-box?—Father Peter Daly.

1294. Were you not surprised?—No, not one bit.

1295. Then you expected it?—No, I never did; I swear, on my solemn oath, I never expected it.

1296. Do you know what it was given to you for?—No.

1297. Do you know why it was given to you?—I cannot say; I asked no questions.

1298. I did not ask you that; upon your oath, do you not know why you had that 2 l.; just tell that gentleman in the chair; out with it?—Upon my oath, I do not know; on my oath, I never expected one halfpenny.

1299. Do you mean to say that you do not know what you had that 2 l. for; do you mean to swear that?—(No answer.)

1300. You do not know what that 2 l. was given you for, or why you had that Christmas-box?—Of course I cannot say what it was for.

1301. You can say, and you shall say; who was it; turn round and give the Committee an answer?—He never gave me a Christmas-box before.

1302. Why did he do so this time; you know why it was, so out with it; you know why you had that 2 l. as well as I do?—I can partly guess it.

1303. I will not have any guess; I will have certainty; state distinctly why it was?—How can I answer that question?

1304. Was it not for your vote?—He did not tell me it was; how can I answer you such a question?

1305. Attend to me; do you mean to swear that

that you do not know why that 2*l*. was given to you?—I did not ask him.

1306. I will have an answer; do you mean to swear that you do not know why that 2*l*. was given to you?—I could not answer that question.

1307. You cannot answer it?—No.

1308. That you mean to abide by; did any other person receive a Christmas-box at the same time?—There was.

1309. How many?—I cannot say.

1310. Were there 100?—No.

1311. Were there 50?—No.

1312. Were there 30?—Upon my word, I cannot say.

1313. You cannot tell?—No, I cannot tell how many.

1314. Were there 50 or 40?—I cannot say.

1315. Were there about 30 or 40?—I will not be able to swear that.

1316. Where did you receive it?—In his own parlour.

1317. In whose parlour?—Father Peter Daly's parlour.

1318. How came you to go there; who sent you?—I was sent for.

1319. How came you to go there?—He sent for me himself.

1320. Did you know that you were going to have the 2*l*.?—I was told it.

1321. By the person who came from him?—Yes.

1322. What did he tell you?—That Father Daly wanted me.

1323. What for?—I did not know what he was going to give me.

1324. Did you not know?—On my oath I did not know what money he was going to give me.

1325. Did you not know that 2*l*. was given you for your vote?—How could I swear that? might he not have sent for me, and given me 10*l*., and have not given it to me for my vote?

1326. Do you think it likely?—For that reason I will not swear why he gave it to me.

1327. Or why the other 30 people had it; you say you can partly guess; now give us your guess?—That I never will swear to; I never will swear the reason why he sent for me, or what he gave me the money for.

1328. What is your guess?—You want an answer from me now; have I not given it to you very fairly; did I not answer your question now that you put to me?

1329. Look that way, and speak to the Committee?—I will look any way you like.

1330. Now give me your guess, I like guesses?—I am not going by guess work at all.

1331. I am; you said you could partly guess; what could you partly guess?—I will not swear.

1331. What did you guess?—What is the use of a guess.

1333. You said just now you could partly guess; what did you guess; come, out with it; it must come sooner or later?—The Christmas times were very bad in Galway, and there was no trade, and I will tell you what it is to my mind entirely; he gave money, and he gave beef, and he gave coals, and he gave flour, to the poor of Galway, what no man ever did that came to this house; and he might as well have given me, when he saw me in a delicate state of health, and knowing me all my lifetime, and that trade was bad, he might as well have given me 2*l*. as anything else.

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1334. Do you want the Committee to believe that he gave you that 2*l*. for charity; now answer my question?—Of course, I cannot say whether they believe it or not.

1335. Do you wish them to believe it?—Well, I would.

1336. And the 30 others all for charity?—Yes, he gave coals, and he gave meat, and he gave money, always for charity.

1337. When you said just now that you could partly guess, was that guess that it was given to you for your vote?—No.

1338. What was your guess, then; you said just now you could partly guess; what did you mean by that answer when you said you could partly guess?—Well, I could not say.

1339. You must have meant something; now, I ask you what you meant; I will guess it for you; did you not mean that you could guess it was for your vote?—Well, you know, I will not swear to it.

1340. Did you not mean that you could guess it was for your vote?—I could not say whether it was or not.

1341. Did you believe it was?—Well—

1342. Now, sir, it will come at last; let us have your answer at once?—I will say that I believe it was, and that is not swearing; I will not swear it was.

1343. Who canvassed you to vote for Lever; did Father Peter Daly?—Yes.

1344. You see I know something about it; that was the same gentleman that gave you the 2*l*.; of course, nothing was said about the 2*l*. when he canvassed you?—Oh, not a word.

1345. Not a word when he canvassed you?—Not a word.

1346. Now, having reminded you that Father Peter Daly canvassed you, cannot you make your belief a certainty; do you not know that 2*l*. was given to you for your vote; you have given me your belief already, you know?—He never promised me a halfpenny.

1347. Do you not know that that 2*l*. was given to you for your vote?—No; I will not swear it.

1348. Will you swear it was not?—No.

1349. Did not Mr. Morris canvass you to vote?—He did.

1350. When?—When did Mr. Morris come to me to canvass?

1351. Yes; when did he canvass you for your vote?—It was a couple of months before the election.

1352. Did you promise him?—I did.

1353. Why did you break your promise?—Why did he break his promise?

1354. Did you break your promise?—Never, until he broke his promise.

1355. Did you promise him?—Yes.

1356. Did you vote for him?—No.

1357. Why?—He broke his promise; he said that he would work on his own account, and he told every man in Galway so; and when I saw on the morning of the election that he had joined another man, then I did not vote for him.

1358. But you had promised him?—Yes; but he broke his promise.

1359. You thought he did it first?—I thought he did it first.

1360. When did you make up your mind not to vote for Mr. Morris?—On the morning of the election.

1361. Can

M. Quaker.

May 1866.

- M. Quaffier.* 1361. Can you read?—I can.
 1362. Did you see this placard posted on the walls of Galway, at the time of the election—*(showing the same to Witness)*?—I did, and I did not see it carried out.
 1363. You say you saw that?—Yes.
 1364. Do you know how many ahead Mr. Morris was of any one else at the election?—I heard he was a great many.
 1365. You promised him, you say; was he alone when he canvassed you?—He was.
 1366. When did you first tell this story about Pearce coming to you from anybody?—What story?
 1367. About Pearce coming to you to ask you for your vote, and offering you the 5*l.*; when did you tell that to any one?—Five or six days after the election.
 1368. Who was it you told it to?—A man who was going to carry on his business.

Cross-examined by Mr. Coffey.

1369. When this man spoke to you first, had you made up your mind how to vote?—What man?
 1370. Did you not say a short time ago that when Pearce canvassed you first and spoke to you, you told him that you had not made up your mind how to vote, but that you would wait for a little while?—I did.
 1371. Was that true?—That is very true.
 1372. Had you not made up your mind to vote for Lever?—Not at that minute.
 1373. When did you make up your mind to vote for Lever?—Half an hour or an hour afterwards.
 1374. When did Father Peter first canvass you to vote for Mr. Lever?—Something more than a fortnight previous.
 1375. Did you promise him you would vote for Lever then?—I did not see him; I was out; I was not at my place.
 1376. When did you see Father Peter before the election first?—I did not see Father Peter; I had no conversation with him for a long time before the election.
 1377. When did you see him last before you voted?—I could not say exactly.
 1378. Did you see him that day?—No, nor a day previous to the election.
 1379. Do you know Father Peter was making speeches in favour of Mr. Lever?—I do.
 1380. Did you hear them?—I heard his speeches.
 1381. Did you attend a meeting of Mr. Lever's friends yourself at the hotel?—Oh yes, one night.
 1382. Did you see Father Peter there?—I saw him in the street.
 1383. Did you see him at the hotel?—No.
 1384. Did you see him walking about canvassing with Mr. Lever?—I did not.
 1385. Was it in the parlour that you were paid this 2*l.*?—Yes.
 1386. Who was present when you were paid it?—I don't think there was one man present.
 1387. What was the man's name?—I don't think there was one.
 1388. Were you the first man that went in?—I cannot say.
 1389. How many were waiting outside?—I could not say.
 1390. About how many?—I could not say.

1391. Tell me within 20?—No, there were not 20.
 1392. Were there about 10?—Ten very poor men like myself.
 1393. Were they not voters?—They were.
 1394. And when you came out of the parlour another went in?—I walked straight out of the parlour to the hall door, and I walked away, and I don't know who were there.
 1395. Was there a list of names in the room when you were paid—on your cash?—He had a paper in his hand.
 1396. Did you see any printed list there?—No.
 1397. It was all written?—I saw no printed list.
 1398. Was it all written?—It was all written.
 1399. The names were written?—I did not see one man's name, on my oath; he had a great many papers on his table.
 1400. What money did you get for coming over here?—I got 2*l.* and 6*d.*
 1401. And how much since?—Five shillings each day.
 1402. When you went to vote, had you a card to present at the tally room or polling booth?—I had.
 1403. A printed card?—Yes.
 1404. Have you the card in your pocket, which you used?—No.
 1405. Was it like that one with Mr. Lever's name upon it?—Yes, I think it was.

Mr. Sergeant Ballantine expressed a hope that the Committee would receive this evidence in relation to the character of the witness only, and not in relation to any specific facts with reference to Mr. Lever.

1406. Mr. Coffey.] All the voters that went up to vote for Sir Rowland Blennerhassett, for Mr. Lever, and for Mr. Stuhler, had cards, had they not, like that one before you, to present to the agents and deputies?—I suppose so.
 1407. Do you not know that they had; did you not see them with your eyes open?—I saw a man who had cards.
 1408. For each voter?—Yes.
 1409. Who was it proposed Mr. Lever as a candidate; were you not in the court-house on the day Mr. Lever was proposed?—No, I was not in the court-house; I did not feel well that day.

Re-examined by Mr. Sergeant Ballantine.

1410. What were the little offences that you committed, to which my friend has referred, were they all drink?—Yes; I never had a halfpenny out of the way.
 1411. All drink?—All drink, and not like a good many men; there never was a man more honest; I never saved 6*d.* out of an election, and I never saved 6*d.* any way wrongly, since I was born, but what I earned honestly.
 1412. I am so glad to hear what you tell me?—I humbly beg your pardon, if I am wrong.
 1413. It was only for getting drunk?—That is all.
 1414. How long is it since you were up before the magistrate?—I was not before the magistrate for the last couple of years, or three years.
 1415. It may be three years?—I think it is three years; I never wronged any man yet out of a halfpenny.

1416. Except

1416. Except yourself?—I earned the money honestly by work, and not in the manner that heif has been got up by the man that you will find outside drunk in the hall.

1417. By the Committee.] What day was it that Pearce said you would get 5*l.* for voting for Mr. Morris and Sir Rowland Blennerhassett?—On the 15th of July.

1418. That was on the polling day?—It was on Saturday, the 15th of July.

[The Witness was directed to withdraw.

Mr. Montague Chambers here begged leave to interpose for the purpose of making an application with regard to his witnesses, for whom he desired protection; he stated that he had been informed that one or two of the witnesses who had been examined on Saturday last, had, upon leaving the Committee room, and going into an adjacent room, where Mr. Kirwan was, been immediately

attacked by Mr. Kirwan, with most violent and improper language, he declaring that they were perjurers; they had been intimidated, probably with a view of inducing them not to come again as witnesses, when they would be wanted on Mr. Stubber's petition; he was also informed, that unless the Committee intervened in some way to keep the peace, it was highly probable that if Mr. Kirwan continued his unlawful and improper conduct, an application to a magistrate would be necessary; if the Committee could suggest any mode by which this course of proceeding might be stopped, it would probably conduce to the interests of justice; there were two witnesses who could give evidence of what had occurred on Saturday night, and probably the Committee would think it right to have Mr. Kirwan called before them, and to censure him with reference to his conduct in future.

M. Quarter.
7 May 1866.

Mr. FLAN KEARY, was called in; and, having been sworn, was Examined by Mr. Montague Chambers, as follows:

1419. You were examined here on Saturday as a witness?—I was.

1420. After you had been examined, did you leave the Committee room?—I did.

1421. Did you go into a room where Mr. Kirwan was, or did you see Mr. Kirwan when you had left the Committee room?—After the Committee adjourned, I was going down in the lower hall of the House, and I was walking with Mr. Madden and young Mr. Stubber, and Kirwan rushed over to us in a violent way, and called Madden a perjurer.

1422. Go on and tell us what occurred?—I said it was very improper to call a respectable man that name; I said he was an impertinent fellow to call a respectable man, and a man well known in the town of Galway, such a name as that; and I said that Mr. Madden was not an adventurer and the son of a bellman, as he was, which is well known in Galway.

1423. What happened then?—He continued his violence, and Mr. Morris came up at the time

and said, "Boys, be quiet," and I remarked to Mr. Morris, that Kirwan had acted highly improper to call Mr. Madden a perjurer.

1424. You have made use of the expression, "he continued his violence," what did you mean by that, was it violent language or action, or what?—Yes.

1425. What was it?—He made use of insolent language, still repeating the word "perjurer."

Mr. Montague Chambers directed the attention of the Committee to a Sessional Order of the House with reference to the subject.

The *Witness*.] I also stated, that I would mention the circumstance to the Committee; Mr. Stubber was present, and can tell you so.

1426. Is Mr. Madden outside?—He was outside about an hour ago; I saw him about an hour ago.

[The Witness was directed to withdraw.

THOMAS MADDEN, was then called in; and, having been sworn, was Examined by Mr. Montague Chambers, as follows:

1427. You were examined as a witness on Saturday?—Yes.

The *Chairman* informed Mr. Montague Chambers, that the Committee only permitted this examination to proceed on the assumption that he, Mr. Montague Chambers, was going to call these witnesses upon the petition in which he appeared.

Mr. Montague Chambers said, that he intended to call these persons as witnesses.

1428. After the Committee had adjourned, did you see Mr. Kirwan?—Yes; he came up to me and called me a perjurer.

1429. What did you say to him?—Not a word, I just laughed; but Mr. Keary came over and 274.

contradicted him; I just walked on, I did not like to speak at all.

1430. After that, did he repeat it?—Mr. Morris was passing by at the time, and beckoned.

1431. Mr. Morris interposed very properly, I presume?—Yes, sir, he did, I never spoke at all, I never answered the man.

1432. How long did this go on?—Not a minute, I walked on and I did not answer him at all, I only just walked on.

1433. By the Committee.] Have you been summoned as a witness on the petition of Mr. Stubber?—Yes, sir.

1434. Do you consider that what Mr. Kirwan said or did to you had reference to the evidence that you were about to give in the case of Mr. Stubber?—Surely, sir, it had reference to my evidence.

E

Mr.

Mr.
F. Keary.

T. Madden.

MR. KIRWAN was then called in.

Mr. Kirwan. 1435. The *Chairman*.] ARE you Mr. Kirwan?
—(Mr. Kirwan.) Yes.

7 May 1896. 1436. The *Chairman*.] Evidence has been given before this Committee, proving that you have used strong language to a witness who was called before this Committee on Saturday last, and who is to be called as a witness on behalf of the other petitioner?—(Mr. Kirwan.) What are the names?

1437. The *Chairman*.] Madden?—(Mr. Kirwan.) If I am wrong, I regret it very much.

1438. The *Chairman*.] I wish to inform you, that what you have done constitutes a very grave offence, and that it is contrary to an order of the House of Commons?—(Mr. Kirwan.) I was not aware of it.

1439. The *Chairman*.] And I wish to caution you, and others also, against the commission of a similar offence.

[Mr. Kirwan was directed to withdraw.

The *Chairman* (addressing Mr. Montague Chambers) stated with reference to an application made this morning, that it would be convenient if it were possible, that the two petitions could be taken together.

Mr. Montague Chambers stated, that if he

had been present at the time alluded to, he should have advised his client to acquiesce in a course of proceedings so advisable, because many of the witnesses that had been called before the Committee would also have to be called upon the petition upon which he appeared; he would, between this and to-morrow morning confer with his client, and he would probably be able to make an arrangement with a view to the course suggested by the Chairman.

Mr. Sergeant Ballantine said, that although he could not consent to wait until the recriminatory case of Mr. Stubber had been gone into, he would suggest that his learned friend (Mr. Montague Chambers) might be allowed to use all the evidence that had been given, without repeating it, so far as it was applicable to his case.

Mr. Montague Chambers said, that there were certain points with respect to which it would be applicable, and if the Committee would allow him to do so, he would make use of the evidence which had been given, simply asking such further questions as might be necessary.

[Adjourned to To-morrow at 11 o'clock.]

Tuesday, 8th May 1866.

HENRY HUSSEY VIVIAN, Esq., IN THE CHAIR.

Mr. MICHAEL DUGGAN, was called in; and, having been sworn, was examined by Mr. *Jnderwick*, as follows:

1440. Are you a Shoemaker at Galway?—I am.

1441. Were you canvassed by Mr. Morris?—I was.

1442. Was any one with him when he canvassed you?—There was.

1443. Who?—A man of the name of John Pearce, a grocer.

1444. What is Pearce?—He keeps a grocery.

1445. Is he a grocer and a publican?—Yes.

1446. Did you promise to vote for Mr. Morris when you were canvassed then?—No, I refused him.

1447. When you were canvassed by Mr. Morris and Pearce together, did you promise to vote for Mr. Morris?—No; I did not promise to vote for Mr. Morris; I was inclined to vote for Mr. Lever.

1448. Did you see Pearce again afterwards?—I did.

1449. Did he say anything to you about your vote?—I heard in the streets that there was a shoemaker's meeting up stairs at Pearce's.

1450. In consequence of what you heard in the street did you see Pearce?—I followed into Pearce's house, and I went up stairs where the shoemakers had a meeting; I suppose there were about 18 or 20 of them.

1451. Was Pearce there?—He followed me up stairs, and when he went up he told the shoemakers that I was after refusing Mr. Morris a few days ago in his presence; and when he told them they cried out, "Turn him out," to me, and I said there was no necessity for turning me out, for I would go out myself; so I went out and Pearce followed me down stairs, and he said he would take my name down, and see me right for 5*l.* so that I would vote for Mr. Morris and Sir Rowland Blennerhassett.

1452. Did you vote for Mr. Morris and Sir Rowland Blennerhassett?—I did.

1453. After you voted did you get a card?—I did.

1454. From whom?—From a man of the name of John Oliver, that keeps a bakery and a millery.

1455. By the Committee? Did you get a card from Oliver?—Yes.

1456. Mr. *Jnderwick*. Was there anything written on the back of the card when you got it; have you got the card?—No.

1457. You have not got the card?—No; Pearce has it.

1458. Who did you give it to?—I gave it to John Pearce; he has it in his possession.

1459. After you voted for Sir Rowland Blennerhassett and Mr. Morris, and got this card, did you go to John Pearce and ask him for the 5*l.*?—I went to him with the card, and I saw that he was in too great a hurry; and so I deferred it until the Monday.

1460. By the Committee. You deferred giving him the card?—No; I deferred getting the money.

1461. You left the card with him?—Yes, expecting that he would pay me the money.

1462. Mr. *Jnderwick*. Did you go on Monday again to get the money?—I did.

1463. Did you ask him for it?—I did; and he said he was not prepared to pay me the money, but he gave me some drink.

1464. Now, did you go there another time to try and get the money?—I did, on several occasions.

1465. Did he give you any money at all at any time?—He gave me half-a-crown in silver.

1466. Was that at any of the times that you went to ask him for the 5*l.*?—I was passing, and I asked him for some money; he said he had none to give me; I told him that I wanted to take a walk, and if he would give me a few shillings I should be well pleased; he put his hand in his pocket and took out his pocket-book, and gave me half-a-crown; and he said that would do for the day.

1467. Did he ever give you the 5*l.* at all?—No, never.

1468. Did he give you any reason for not giving you the 5*l.*?—He did; he told me as soon as he got 84*l.* from James Blake Cannan he would pay me; he pulled out a bill out of his pocket-book and showed it to me; it was for 84*l.* that he had to get from James Blake Cannan.

1469. Did Pearce say anything to you about having money to pay away?—He did; I was on one occasion along with two men that he was going to pay, and I thought he would pay myself at the same time.

Mr. *O'Malley* objected to the question.

The *Chairman* stated, that the Committee were of opinion that the question was a fair one.

Mr.
M. Duggan.

Cross-examined by Mr. Rodwell.

1470. Now, Mr. Duggan, you have stated that you saw Mr. Morris canvassing with John Pearce?—I did, sir.

1471. They canvassed you together?—They did.

1472. You are quite sure of that?—I am sure; it was in a house called Pat Smith's.

1473. He canvassed you, did he?—He did, sir.

1474. When was that, if you please?—I think it was on the —, I do not know whether it was the 11th or the 12th of the month.

1475. I want you to be very particular about this?—It was about three days or four days before the polling.

1476. In whose shop?—In the house of a man of the name of Pat Smith; he keeps a public-house.

1477. Did they both speak to you?—Yes, sir; Pearce came to the door; "There is Mr. Duggan, sir," he says; I was just standing inside the door, and then Mr. Morris addressed me as Mr. Duggan, saying that they expected I would vote for him.

1478. I want to ask you, is that what you call Mr. Pearce canvassing with Mr. Morris?—He was in company with him.

1479. Did they come together?—They did.

1480. Did Pearce speak to you in Mr. Morris's presence?—No, sir, but he told Mr. Morris that I was Duggan.

1481. Did Pearce ask you for your vote for Mr. Morris?—He did not.

1482. Did Pearce say anything more than this, "There is Duggan in there"?—That is what he said.

1483. And that is what you mean by Pearce canvassing with Mr. Morris?—Yes, sir.

1484. Well, now, what answer did you give to Mr. Morris?—I told him I would not vote for him.

1485. Did you tell him why?—No, sir, he did not ask me.

1486. And he passed on?—Yes.

1487. Was that the only occasion on which answer you made you spoke to Mr. Morris about voting?—That was all.

1488. What time of the day was that?—It was about 12 o'clock, I think.

1489. Can you name any person who was present when Mr. Morris came in with Pearce?—The woman of the shop, Mrs. Smith, and her daughter, was present.

1490. Now, did Mr. Morris ask you for your vote in Pearce's presence, or was Pearce outside the door?—He was along with him at the time.

1491. At the time he spoke to you?—Yes.

1492. Standing close to you?—Yes.

1493. At the time he spoke to you?—Yes, sir, standing by.

1494. And that man was John Pearce?—Yes, sir.

1495. Very good; I want to have this distinctly; you knew John Pearce before?—I knew him many years.

1496. And you know Mr. Morris?—I do, sir.

1497. And you have given me a correct account as far as your memory goes?—As far as my belief; I am quite certain.

1498. Are you quite positive about this?—I am quite certain.

1499. I do not want to have your belief?—I

am quite certain that what I am stating is correct.

1500. You are quite certain that is correct?—It is true.

1501. Did anybody else canvass you that day besides Mr. Morris?—No, sir.

1502. Were you canvassed any time during the election besides that?—Never, sir.

1503. Not for Mr. Lever?—No.

1504. Nor for Sir Rowland Blennerhassett?—No; on one occasion Mr. Reddington spoke to me about Sir Rowland Blennerhassett.

1505. Who was with him at that time?—James Blake Concannon and his brother, Sam Reddington.

1506. Now, when did you first tell anybody that you saw Mr. Pearce with Mr. Morris canvassing you three or four days before the election?—Oh, it was a good while after the election, when I was inquiring how could I recover the money from him.

1507. From whom?—From Pearce.

1508. Oh, when you were seeing how you could recover the money from Pearce, then you mentioned that you had seen Pearce and Mr. Morris together; is that it?—Yes, sir, I told them that they canvassed me.

1509. That was some months after, was it not?—And I thought it was on that account of refusing Mr. Morris that Pearce kept the money from me.

1510. That was the reason?—Yes, sir, I always thought so.

1511. And did that make you recollect that Pearce and Morris were together?—It did.

1512. How many months after was that?—About a month.

1513. Who was it that you told you had been canvassed by Pearce and Mr. Morris together?—I told a man of the name of Pat Groney.

1514. Who is he?—He keeps a leather shop.

1515. What did you tell him for?—I told him about Pearce giving me the card, and that he would not pay me.

1516. When did you tell anyone that you had seen Pearce and Mr. Morris together?—I think it was about a month before I made it known to anyone.

1517. What was it made you recollect so well that Pearce and Mr. Morris were together?—Because he kept the money from me, and I was uneasy about it.

1518. You thought, then, that having been with Mr. Morris at the time, he would be more likely to pay you?—That is the truth.

1519. You did not take any particular notice of it at the time?—I did; I was not inclined to vote for him; I was inclined to vote for Mr. Lever.

1520. You did vote for Mr. Morris and Sir Rowland Blennerhassett?—I did.

1521. Where have you been staying lately, since you came to England?—I do not know the name of the street.

1522. Have you been paid any money?—I was paid for my support; I got 10s. from Mr. Stubber.

1523. Is that all that you have received?—He gave me half-a-crown the first night I came and 10s. last night, to pay my expenses.

1524. You have had your expenses paid?—Yes.

1525. You were very angry with Pearce for not paying you this money?—Well, I calculate I was;

I was; I was so angry with him at one time that he was jumping over the counter to beat me in consequence of it.

Re-examined by Mr. Sergeant Ballantine.

1526. In consequence of what?—For teasing him for the money; he was jumping over, and there were two or three men in the shop kept him back.

1527. How much have you got altogether from Pearce?—Half-a-crown, and his wife gave me one, when I made a demand for the card back, 11s. 4d. worth of drink and the half-crown.

1528. How much was it altogether?—Eleven shillings and four pence, between half-a-crown and the drink.

1529. Was that half-crown in cash, and 11s. 4d. worth of drink?—No, it was half-a-crown in cash, and 7s. 1d. worth of drink, which made 11s. 4d.; between the drink and the half-crown it was 11s. 4d.

1530. Can there be any mistake about your having seen Mr. Morris and Pearce together on this occasion?—No.

1531. Are you certain or not about it?—I am quite certain and sure.

1532. Had you ever seen them together before?—Never.

1533. Mr. Redsell.] Or after?—Not after; I will tell you the truth; I was employed in the Custom House, and I was not taken up by the election at all; I have been a supernumerary there for 19 years.

1534. By the Committee.] Did Mr. Morris and Sir Rowland Blennerhassett canvass together, or

separately?—There was no one along with Mr. Morris but Pearce when I saw them.

1535. What was on the card?—I declare I could not tell you, I never looked at it, but I put it in my pocket until I brought it to Pearce's shop.

1536. Was there nothing printed on it?—Oh, there was.

1537. Do you not know what there was?—I'm blast if I do; I was in a hurry, I thought I would get the money for it.

1538. Where is the card?—Pearce has it.

1539. What made you think that you would get the money if you gave him the card?—Pearce told me if I voted for Mr. Morris and for Sir Rowland Blennerhassett, that he would pay me; then he put my name down, and I brought him the card on those occasions.

1540. Where did he put your name down?—In a tablet-book he had.

1541. Did any one ask you to vote for Sir Rowland Blennerhassett?—No.

1542. I thought you said Mr. Reddington asked you?—Mr. Reddington was speaking about it, but he never asked me.

1543. Pearce followed you out of the shoemaker's room, did he not?—That was in his own house, up stairs.

1544. When he did follow you out of the room, and said he would give you 5*l.*, who did he say you were to vote for?—He followed me up, and it was after I came down from the room that he spoke to me, and he said that I was to vote for Mr. Morris and Sir Rowland Blennerhassett.

[The Witness was directed to withdraw.

EDWARD MURDON, was called in; and, having been sworn, was Examined by Mr. Anderson, as follows:

1545. Now, Murdon, what are you; do you live at Galway?—Yes, sir.

1546. What are you?—A Freeman.

1547. What are you by occupation?—A Shoemaker.

The Chairman asked whether the name of this witness was in the list?

Mr. Anderson replied in the negative, and said that this witness was called to prove agency.

1548. Were you about Galway at the time of the election?—Yes.

1549. While the canvassing was going on?—Yes.

1550. Did you see Sir Rowland Blennerhassett canvassing?—I did.

1551. Did you see any one canvassing with him?—I did.

1552. Who?—Mr. Kirwan.

1553. Is that John Kirwan?—Yes.

1554. Pawnbroker?—Yes.

1555. Now, did you see Kirwan and Sir Rowland Blennerhassett canvassing the voters in company?—Yes.

1556. Did you hear what was said by any of them?—No, I did not.

1557. Now, did you see Mr. Morris in his canvass?—No, sir, I did not.

1558. Do you know a man of the name of Curran?—Who, sir?

1559. Curran?—I do, Michael Curran.

1560. Yes, Michael Curran?—I do.

1561. Is he a bootmaker?—He keeps a bootmaker's shop; a bootmaker.

1562. Did you see him canvassing?—No, but I saw him very active delivering up voters to the poll.

1563. And did you hear how they voted?—I did.

1564. For whom?—Mr. Morris and Sir Rowland Blennerhassett.

1565. How many voters do you think you saw him bring up?—Well, really I could scarcely tell, but he brought up, I suppose, over 20 voters; he was a very active man.

1566. Is he in a large way of business?—No, he is not very large.

1567. Is it a small shop that he has?—Well, it is a small shop, it is not very large, I consider it a small shop.

1568. Now, did you ever see him in his shop during the time of the canvass, in company with any voters?—No, not during the time of the voting, because I could not attend to it, but after the voting I did.

1569. Now, who did you see in his shop?—I saw voters in the shop.

1570. Can you give us the names of some of them?—I saw Conray.

1571. Do you know a man of the name of Geoghagan?—No, I do not know him.

1572. Do you know a man of the name of Fallon?—Fallon?

E 3

1573. Yes?

Mr.
M. Duggan.
—
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E. Anderson.

E. Madden. 1573. Yes?—He gave no work to Fallon, he told me that he gave work to Geoghehan.
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1574. Did you see him giving any boots?—I

did, to Thomas Conroy and Pat Flaherty.
1575. Can you mention any other names?—I do not know their names, I know some masons out in the west.

1576. By the Committee.] Are you speaking now of Michael Curran?—Yes.

1577. Mr. Anderwick.] You mentioned two persons, Conroy and Flaherty as persons to whom he gave the boots?—Yes.

1578. Do you know any other persons?—I know the parties well; I do not exactly know their names.

1579. You did not see him give any to John Fallon?—No.

1580. Did you see him give any to Tim Toole?—That was merely for drink.

1581. How much did you see him give to Tim Toole?—Five shillings for drink in a public-house, namely, Pat Smith's.

1582. Did you see him give anything to Frank King?—Frank Kinney; yes, sir, &c.

1583. By the Committee.] What is his Christian name?—Francis Kinney.

1584. Mr. Anderwick.] Do you know anyone of the name of Frank King?—No; there is no such man as a freeman.

The Chairman called the attention of the learned Counsel to the fact that there was no name of Kinney in the list that had been handed in to the Committee.

Mr. Anderwick said it must have been a mistake in the spelling of the name, and that the name entered as King in the list must have been intended for Kinney.

1585. Mr. Anderwick.] It was Kinney to whom the &c. was given?—Yes, it must be Kinney; his boots were in pawn, and he pawned them through drink, and Curran said he would release the boots, and stop it out again; he happened to come into Mr. Curran, and the man had no boots on his feet, and Mr. Curran released the boots for him, and said he would stop that money when he would be paying him; they expected to get 2 l. or 3 l. a-piece, and he said that he would stop this money from them.

1586. Mr. Redwell.] Who said this?—Curran.

1587. By the Committee.] Do you mean that he advanced him &c. on the boots, and said he would stop the money out of the money that he would pay him?—He released the boots for him.

1588. Mr. Anderwick.] Were the boots pawned for &c.?—They were.

1589. Frank Kinney pawned his boots with Curran for &c., and then did Curran release the boots without taking the money, but say that he would stop it when paid subsequently by Mr. Morris?—Exactly.

1590. You have said in the early part of your examination, that you did not see Curran give any work to John Fallon; did you see him give anything to John Fallon?—No, sir.

1591. Do you know a man of the name of Harrison?—I do.

1592. What is he?—A shop-keeper in the town.

1593. What shop does he keep?—He keeps a tailoring establishment up in the square.

1594. Did you see Mr. Morris in Harrison's shop at any time during the canvass?—Oh, of course I did; he was in the shop, Mr. Morris was.

1595. Often?—Often, sir, of course.

1596. By the Committee.] Did you see Mr. Morris there?—At the time of the election?

1597. Yes?—I did, sir.

1598. Did you see what Mr. Morris was doing there?—No, I did not; I saw him across the square.

1599. Was Harrison in the shop at the time Mr. Morris was there?—I cannot tell that; he might be in it behind the counter.

1600. Did you ever see Sir Rowland Blennerhassett there?—No.

1601. Have you ever seen John Kirwan there?—I do not remember.

Cross-examined by Mr. Redwell.

1602. Pray, what day was it you saw Morris in Harrison's shop?—Well, I could not tell you what day it was; it was before the election.

1603. How many days was it before the election; was it a fortnight before, or three weeks before?—No, it was a couple of days before the election.

1604. Pray, what was he doing in the shop?—I could not tell that; it was a distance away from me.

1605. Is Mr. Harrison the principal tailor and woollen-draper in the town of Galway?—He is.

1606. And are you prepared to say that Mr. Morris was not speaking to him at that time about his business as a tailor?—Very likely he might.

1607. Well, now, you voted for Lever didn't you?—Yes.

1608. How much did you get for voting?—Nothing.

1609. Never a farthing?—No.

1610. Nor promised anything?—No.

1611. Who asked you to vote for Mr. Lever?—I went to vote for him myself.

1612. Who asked you?—Well, Mr. Lever sent for me, because I was at the election before that.

1613. You did not get a Christmas-box, did you?—No, sir, Mr. Lever never gave me one.

1614. Did you get a Christmas-box?—From Father Peter Daly.

1615. I never said Father Peter Daly?—Father Peter Daly sent for me.

1616. Did you get a Christmas-box from him?—I did.

1617. How much did you get from him?—Two pounds, sir; he sent for me.

1618. Were you at the election?—What election?

1619. At the election of Galway?—I was.

1620. Who proposed Mr. Lever; was it Father Peter?—Well, I cannot just remember.

1621. Now, have you been talking much about what you saw Mr. Morris doing, and what you saw this other man, Curran, doing; have you been talking lately about this much, have you been talking lately about what you saw Mr. Morris doing at the election at Galway?—No, I have not.

1622. How came you to tell anybody that you saw him in the tailor's shop; how came you to tell that?—Well, I was asked if I saw Mr. Morris in the shop.

1623. Who

1623. Who asked you?—I was asked by the solicitor.

1624. What is his name?—I do not know his name.

1625. When were you asked?—Since I came to London.

1626. Since you came to London?—Yes.

1627. You were asked whether you had seen Mr. Morris at Harrison's shop?—Yes.

1628. And you told them?—I did.

1629. And, did they ask you whether you had seen Carran give away the boots, and so on, or did you tell them yourself?—I told them myself.

1630. Did you tell them in Ireland or in London?—I told them in London.

1631. And, did you tell them nothing before you came to London?—No.

1632. Who brought you over here then; how came you to come over here if you had told them nothing?—Well, I have been interested for Mr. Lever, I wish to see him elected.

1633. You are interested for Mr. Lever?—I wish to see him elected.

1634. You have been helping to get up the petition in this matter, have you not; you have done the best you could for the petitioners?—Of course I have.

1635. Have you told them all you told us to-day; have you told us all; that is what I want to know; have you told all?—No, sir.

1636. There is more behind?—There is.

1637. Now, then, will you tell me whether Mr. Morris ever canvassed you; let us see if I can get it out?—Never.

1638. You have always voted against him?—Well, he never asked for it before.

1639. You have always voted for Mr. Lever? *E. Mordaunt.*
—I have.

1640. Now, did you see Mr. Morris canvassing at all himself before the election?—No, I did not.

1641. Well, then, all that you seem to have seen him doing is being in the tailor's shop?—That is all, sir.

Cross-examined by Mr. O'Malley.

1642. Now you have told us that you saw Sir Rowland Blennerhassett and Mr. John Kirwan canvassing?—Yes.

1643. When was that?—I believe the second day after Sir Rowland Blennerhassett came to town; to the best of my belief it was the second day.

1644. Was that the time you saw them canvassing?—Yes, they were coming down the public streets, out of the meat market.

1645. Who did you see them canvass?—Well, I saw them stopping everyone.

1646. Who did you see them canvass?—I saw them stopping the freemen.

1647. Who did you see that you can swear you saw them canvassing?—They went into the shops.

1648. How many people were with Sir Rowland Blennerhassett at that time?—There was a great crowd with him; I have seen a great number of the gentlemen in the hall who were with him on that same day.

1649. He was going about then?—Yes, sir, on his canvass.

[The Witness was directed to withdraw.]

WALTER CHRISTOPHER MERE STAINTON, was called in; and, having been sworn, was Examined by Mr. Serjeant Ballantine, as follows:

1650. Do you live at Galway?—I did.

1651. Do not you now?—No.

1652. Were you an Upholsterer there at the late election?—Yes.

1653. Who did you vote for?—Mr. Lever.

1654. Now, do you know Mr. Kirwan?—Yes.

1655. And I suppose you know Mr. Morris very well?—I do.

1656. Now, had you seen them together at all before the election?—Not before the election.

1661. Now, just attend to me, sir; you have written a statement down to-day?—Yes.

1662. You have written it yourself, because we did not call you until you had written the statement; have you not seen Kirwan canvassing with Mr. Morris?—I have seen him canvassing for Mr. Morris, but not with Mr. Morris.

1663. Now, did you hear anything that Kirwan said to the voters?

Mr. Rodwell objected to the question on the ground that the learned serjeant must name the particular voters to whom he referred.

1664. Mr. Serjeant Ballantine.] Well, I will not ask you what you heard him say; did you see him speaking to voters?—I have seen him speaking to voters.

1665. Did you hear what he said to them?—I did not hear, but the voters told me afterwards.

1666. Now, do you know John Brady?—I do, well.

1667. Did you see him speak to John Rooney?—I did.

1668. Was that upon a Sunday?—On a Sunday.

1669. What Sunday was that?—The Sunday after the election; the election was on Saturday.

1670. Did you see where he went to; did he go anywhere with Brady?—Yes; Rooney was coming out of the Catholic chapel, and Brady called

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The *Chiefs* asked whether this witness was called to prove agency?

Mr. Serjeant Ballantine replied in the affirmative.

1657. When did you see them together?—I have never seen them together.

1658. Did you never see them together?—No.

1659. Wait a moment; you have given your evidence, I believe, only this morning, and it has been taken down from your own lips; you wrote down your evidence yourself?—Yes.

1660. Now, just attend to me; never mind Mr. Morris, or anyone else?

Mr. Rodwell protested against the insinuation conveyed by Mr. Serjeant Ballantine's question.

Mr. Serjeant Ballantine replied that the witness was constantly looking at Mr. Morris.

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called to him; Brady called Rooney into his own house; I saw Rooney immediately afterwards; I saw him going in, and after he went in I saw him come out.

1671. Did you see anything in his hand?—No.

1672. Do you remember the evening of the election?—I do.

1673. Did you see any person at John Brady's?—I did.

1674. Did you see anything that took place there; I do not ask you what was said, but did you see anything that took place there?—Yes; I went there to see Mr. Edward Stainton; I was told he was there.

1675. By the Committee.] Is Edward Stainton any connection of yours?—He is a first cousin of mine.

1676. Mr. Sergeant Ballantine.] Just simply answer the question; did you see what was going on with the voters at Brady's?—When I got to the door there was a man outside.

1677. Were they voters that you saw in at Brady's?—Yes; there was a man outside; there was a man outside the door who was a voter.

1678. You saw nothing that was going on inside?—No.

1679. You only saw those voters at Brady's door?—Yes; there were four or five of them inside.

1680. Mr. Rodwell.] Did you see them?—I did.

1681. Mr. Sergeant Ballantine.] Did you see any voters going up stairs?—The man outside told me—

1682. Do not tell us what anybody told you, but tell me what you saw; did you see any voters going up stairs?—I did not see them going up stairs.

1683. Did you see any voters there?—I saw four or five voters inside.

1684. Did you see any voters in Kirwan's?—I saw them there the night before the poll.

1685. Where did you see them?—At Kirwan's house.

1686. Where were they when you saw them?—In Brady's house.

1687. Did you see any at Kirwan's?—Yes, I saw them coming out of Kirwan's on the morning of the poll.

1688. Did you see them the night before at Kirwan's?—I saw them going in there, but not before.

1689. At what time?—I should say it would be 11 o'clock.

1690. Eleven o'clock at night?—Yes.

1691. Did you know them by sight?—I did.

1692. How many of them were there?—There were not many going in at a time; they were going in one or two at a time.

1693. How many went in altogether?—I only saw one or two going in at a time as I was passing by.

1694. Did you see any coming out the next morning?—Yes; I saw them coming from there to the poll.

1695. The same voters?—I could not swear that they were the same.

1696. Were they the same, or not?—There was one man I know.

1697. Was there one that you saw the evening before?—He was.

1698. You saw him coming out in the morning

and going to the poll?—I saw him going to the poll.

Cross-examined by Mr. Rodwell.

1699. What was the name of the man you saw on the night before, and him you saw the next day going out to the poll?—Timothy Toole.

1700. I believe Mr. Morris canvassed you for your vote?—He did.

1701. When?—Long before the election.

1702. Was anyone with him?—No.

1703. Did you promise him?—I did not.

1704. What did you say to him; did you not promise him?—No.

1705. For whom did you vote?—Mr. Lever.

1706. Did you give Mr. Lever a plumper?—Yes.

1707. Did Mr. Lever canvass you?—Not before I promised him.

1708. Nor after you promised him, I suppose; you say that you did not promise Mr. Morris; you are distinct upon that?—I am.

1709. You distinctly recollect that?—I recollect that.

1710. Do you recollect seeing him at Edward Stainton's shop?—Yes.

1711. In March?—I cannot say.

1712. Long before the election, do you recollect his coming and asking Edward Stainton for his vote?—I do not, for Edward Stainton was not there.

1713. You were there?—I was there.

1714. Do you recollect his coming and enquiring for Edward Stainton?—I do.

1715. Did you offer yourself then to vote for Mr. Morris if you had a vote?—No.

1716. What did you say to him?—I said, "It all depends on your principles Mr. Morris; I would be happy to vote for you if you were of Conservative principles, otherwise I would not, and I do not know whether I am qualified for my vote yet or not"; these are the very words I said.

1717. At that time did you know that you had a vote?—I did not exactly, but Mr. Morris told me I had.

1718. Did you not say that you would vote for him?—I did not.

1719. Had you at that time made up your mind to vote for Mr. Lever?—No.

1720. Who canvassed you for Mr. Lever, and begged you to vote for him?—No one.

1721. Not anyone?—Not anyone.

1722. And Mr. Lever did not ask you, but you promised him?—I promised him I would vote for him, he being the only Conservative.

1723. Did Father Peter Daly ever ask you for your vote?—Never.

1724. You made a statement in writing, did you not, this morning?—Yes.

1725. My friend said, that they would not examine you until you made your statement in writing; have you been giving information to Mr. Lever's party?—What sort of information?

1726. About the election?—Well, yes; I have done that.

1727. Have you been paid for it?—No.

1728. You have been paid your expenses?—I never got a farthing from any one.

1729. What brought you here?—I paid my own way.

1730. What for, why did you come over; had you a Speaker's warrant?—No.

1731. Explain

1731. Explain to the Committee what brought you here?—I was told in Galway, that I was going to be served with a Speaker's warrant.

1732. Who told you?—Mr. Connesen told me, and I gave my address, and I said I was on my way to England to see my family, and that I would go direct; I said that it would do as well to serve me here as there.

1733. You came over on speculation, as I understand you?—No.

1734. Have you not been working away in Galway, to get up this petition for Mr. Lever?—No.

1735. Have you taken no part in it?—I have taken a small share certainly, by the parties own consent.

1736. Have you not been about in communication with several of the witnesses that have been here in Galway?—Yes, one or two.

1737. Have you not with as many as 10 of them?—No.

1738. Who are the one or two that you have been in communication with?—Edward Morden and Mr. Dillon the watchmaker.

1739. Who else?—He himself desired me to send his evidence.

1740. You have been getting evidence up, have you?—Mr. Dillon asked me to send his evidence.

1741. Have you been taking evidence of the witnesses?—I have of two of them.

1742. Where?—At Galway.

1743. Who paid you for that?—No one.

1744. You do not expect to be paid?—No.

1745. Not for anything you have done during the election?—No.

1746. Not at all?—No; I shall expect to be paid my expenses.

1747. When did you draw up that writing which my friend has examined you from?—About an hour since, I should think.

1748. Why did you not write that out before; you have been asked, you know?—I did not know of any one.

1749. You have been asked?—I have not.

1750. Have you never been asked to give evidence here before this morning?—No.

1751. Who asked you this morning?—I came to give my evidence.

1752. You volunteered your evidence?—I did.

1753. You have not been asked either at Galway or here, by any one, to come as a witness?—Except that I was told that I was to have a Speaker's warrant.

1754. Let me understand you distinctly, you came here to volunteer your evidence, without being asked to give it; has no one asked you to give your evidence?—Not before to-day.

1755. Who asked you to give it to-day?—I was asked for it at Mr. Lever's room.

1756. Who asked you, do you know?—Mr. Lever told me to write down the statement I had to make.

1757. Mr. Lever told you to write down the statement; where was it told you that?—In the Parliamentary Chambers.

1758. What brought you to these Parliamentary Chambers; how did you find your way there?—I went to see Mr. Lever purposely.

1759. Did you then tell Mr. Lever that you had got information which you could give?—(No answer.)

1760. Do answer my question, pray; what did you say to Mr. Lever when you were there; did he send for you?—No.

1761. You went there of your own accord?—Yes.

1762. Did you tell him that you had valuable information to give?—I told him the truth of what I had.

1763. What led you to go there to him; why did you go to him more than to Mr. Morris or to Sir Rowland Blennerhassett; what took you there?—Because I was on his side.

1764. Is that your only reason?—That is the only reason.

1765. From the love of justice?—Yes.

1766. Have you ever said anything about being paid at all?—No; I never have been paid.

1767. Have you never said so to any one; not to Mr. Lever?—No, not to any one.

1768. Have you not said a word about being paid to any one?—For what?

1769. For coming over and giving evidence?—No.

1770. Nor for anything?—No; I do not recollect saying a word to any one.

1771. Have you or not spoken to any one; I do not mean to Mr. Lever; but at this moment will you undertake to say, "I have not spoken to any one about being paid for to come over here to give evidence"?—No.

1772. To no human being?—No.

1773. Nor about payment?—No.

1774. Nothing of the sort?—No.

1775. Have you asked for money from any one?—I have not.

1776. Not to any one?—Not to any one.

1777. Have you been told what you would be paid?—I understood that parties would be paid for coming here.

1778. Who did you understand that from; who told you?—I have been told by those who got it.

1779. Who told you?—Dillon told me.

1780. What did he tell you?—He told me that he got his expenses for coming here.

1781. What fees did he tell you how much?—I think he said 3 l. 2 s. 6 d., or three guineas.

1782. How much a day?—I do not know at all about that.

1783. Then the Committee are to understand that you went to Mr. Lever this morning as a volunteer, and that you offered information you have given to-day?—Yes, I did.

1784. You went that morning to see your cousin Stanton?—Which morning?

1785. The morning you saw these people or voters?—Not that morning, the night before.

1786. You went to see Stanton?—Yes.

1787. What about?—To get paid my wages.

1788. As what?—I was engaged by him.

1789. What as?—As an upholsterer and salesman.

1790. What time of the night was it that you went?—Before eight o'clock.

1791. You merely went there by accident?—Where?

1792. To Stanton's?—Oh, no.

1793. You went there to get money?—Yes.

1794. Not with any view to watch?—No, nothing whatever.

1795. What took you to Brady's at 11 o'clock?—I was told, at Stanton's house, that he was likely to be seen at Brady's.

1796. And you went there for him?—Yes.

1797. Do you mean to say that you never, till this

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Stanton.
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this morning, stated what you saw at Stainton's or at Brady's?—I have.

1799. You have never put it in writing?—Yes, I have; I have not given it in writing to any person.

1799. You put it down in writing?—I did.

1800. When did you put it down?—That very evening.

1801. When you got home at night?—Yes, that night I did.

1802. Before you went to bed; do you mean to tell the Committee that, before you went to bed that night, you, having been at Brady's at 11 o'clock, put it down in writing?—I did not say that I was at Brady's at 11 o'clock.

1803. You said you were there about 11 o'clock?—No, that was at Kirwan's.

1804. That was the same night?—I am stating now, because you are asking me about Brady's.

1805. I want to ask whether what you have told us to-day, and what you are describing now as what you saw on the morning and night in question, whether you put that down in writing?—I put down in writing what I had seen at Brady's.

1806. Did you put it in writing that night before you went to bed?—I did.

1807. Why?—To jog my memory about it another time.

1808. Why did you put it down in writing?—To jog my memory about it; and because I thought it very strange that parties should be there to be paid for their votes so very publicly; that was my reason for doing it; I just merely took a note of it.

1809. Did you put down their names?—No I did not know what the names were.

1810. What did you put down; did you put down that you saw so and so going on?—Yes.

1811. You have not got the paper now?—No.

1812. Have you lost it lately; what has become of it?—I do not know.

1813. This was a valuable paper, that you took the trouble of writing out before you went to bed?—Oh, it was only a few words.

1814. You could not trust your memory?—Yes, I could.

1815. What became of that paper?—I cannot tell you.

1816. You have lost it?—I do not know what has become of it.

1817. What did you do with it afterwards?—I might have written other things on the back of it.

1818. What did you write it upon; was it in a book, or on a piece of paper?—I do believe that I wrote it that evening; now that I recollect, I remember that I wrote it that evening, and that the reason I wrote it that evening was to speak to Mr. Lever the next day about what I had seen.

1819. Have you told Mr. Lever what you had seen?—I did.

1820. Then Mr. Lever has all along known about this?—Since then, I believe, he has known it.

1821. You told Mr. Lever the very next day?—Yes.

1822. Did you give him the paper?—No; I did not even read it to him; I told him of it.

1823. You are perfectly distinct, now, that you did write it down that night?—I know I did.

1824. That you swear?—I swear that, positively.

1825. Was it on paper, or in a book?—It was in a pocket-book that I kept memoranda in.

1826. Was it last year's pocket-book?—Yes.

1827. What became of that pocket-book?—I do not know.

1828. Do you not keep your old pocket-books?—I tear the leaves out occasionally.

1829. Have you torn that leaf out?—I have.

1830. Why?—I tore it out with other leaves, because I considered it of no importance.

1831. Of no importance?—No, because I knew it well.

1832. You wish the Committee to believe that?—I do candidly believe I did.

1833. You are sure that you told Mr. Lever the next morning?—I am.

1834. Is the pocket-book in existence?—I do not know that it is; it might be among my other things.

1835. How are you getting your living now?—Always by my trade, and no other way.

1836. Do you carry on business now at Galway?—No.

1837. Are you a journeyman upholsterer?—I am.

1838. In constant work?—Mostly.

1839. Are you very well off?—I am not so well off.

1840. Who paid you the railway-fare coming to here?—I did.

1841. You provided the money?—No; I sold some work in Galway.

1842. What work in Galway?—Some work that I had made.

1843. On purpose to come over here?—No, I intended to come long before.

1844. You do not believe you are going back?—I do not believe I am.

1845. You came here to have your expenses paid and settle in England?—Yes.

Re-examined by Mr. Sergeant Ballantine.

1846. When did you come to London?—Yesterday.

1847. What time, do you recollect?—Shortly before six o'clock.

1848. In the evening?—Yes.

1849. When did you see Mr. Lever for the first time?—This morning.

1850. At what time?—About nine o'clock.

1851. Did he bring you to the solicitor's office, and did you there write out this statement?—Yes.

1852. By the Committee? Did you make that memorandum in your pocket-book with the object of telling Mr. Lever of it?—No.

1853. What was it, then, that made you make the memorandum?—The object was that I should jog my memory with it the next day, to know that I was stating the facts.

1854. You say that it was not with the object of telling Mr. Lever?—It was with the object of telling Mr. Lever; not for the purpose of showing it to him.

1855. It was to refresh your memory with it to tell Mr. Lever?—Yes, the next day.

1856. Having told Mr. Lever, you thought it of no importance?—No, I did not think it would be of any importance; I never thought anything about it, or else I might have kept it.

1857. Your object was to tell Mr. Lever, and not to refresh your memory in giving evidence upon the petition?—Yes.

1858. Are

1858. Are you the Stainton that wrote out the paper that was signed by Dillon?—Yes, Dillon told it to me several times before I wrote it down; I asked him if I was to sign it.

1859. That is not the paper now referred to, is it?—No.

1860. Did you write this document (*producing the document which was referred to in Dillon's evidence*)?—Yes, I wrote that.

1861. Is that your signature?—Yes, that is my signature.

1862. Is that true?—It is true.

1863. Every word of it is true?—Every word of it.

1864. Will you read it out?—“I, the undersigned, was canvassed for my vote at the late election for Galway by Mr. John O. Lever. Promised him. I was afterwards canvassed by Mr. Morris and his agent or friend, J. Kirwan, who said he was particularly interested for Mr. Morris. I then asked J. Kirwan if his friend was giving any money, and he said yes. I then said I promised Mr. Lever, and would it do to split for Mr. Lever and Mr. Morris. J. Kirwan said no, but if I would vote for Mr. Morris and Sir Rowland Blennerhassett I would get 51. in hand and 51. another time. I voted accordingly, and got 51. from J. Kirwan on the election day, and was seen paid by Thomas Madden, of Abbey-street.” That was told to me by Dillon half-a-dozen times before I took it down, and, finding some evidence was wanted, I asked him if he had any objection to my signing it, and he said no.

1865. You did not know that of your own knowledge?—No; he said that it was a truth, and I wrote that, and read it over to him, and asked him whether everything in that was true, and he said yes; I said, You have no objection to sign it, and he said no.

1866. You know nothing more of it than that?—Nothing more than that.

1867. You only know that Dillon said it was true?—That is all.

Mr. Serjeant Ballantine said, he had concluded the case of the Petitioner, Mr. Lever.

Mr. Rodwell was heard to contend that the Petitioners had made no case against Mr. Morris.

Mr. Serjeant Ballantine was heard to object to Mr. Rodwell being heard in support of such a contention, and contended that the Committee could not come to any decision upon such a question until they had heard him run up the case.

The room was cleared.

After some time the Counsel and parties were called in, and informed by the Chairman that the Committee would prefer not to express any opinion at this stage of the proceedings.

Mr. O'Malley was then heard to contend that the Committee ought to proceed with Mr. Stubber's petition, before calling upon Sir Rowland Blennerhassett for any reply to the case which had been made by Mr. Lever.

The Chairman asked whether Mr. Stubber objected to his case being now heard.

Mr. Montague Chambers replied that he objected very much indeed, for reasons which he was quite prepared to give.

Mr. O'Malley was heard further to contend that the Committee ought to hear the whole of the case made against the sitting Members, before either of them was called upon to reply.

Mr. Montague Chambers was heard against Mr. O'Malley's application.

Mr. O'Malley was heard in reply.

The Chairman stated that the Committee were of opinion that the case of Mr. Stubber should be proceeded with at once.

Mr. Montague Chambers said that he was requested by his client to inform the Committee that his client protested against the decision at which the Committee had just arrived, and intended to petition the House; his client contended that it was not in the power of the Committee to call upon him to proceed with his case at once; he, Mr. Montague Chambers, was obliged to present this view to the Committee, and he desired to do so most respectfully; he was requested to ask the Committee to defer the hearing of Mr. Stubber's case until to-morrow morning, on the ground that he was taken by surprise, in consequence of the sudden conclusion of the Petitioners' case, and the decision at which the Committee had arrived.

Mr. Coffey was heard against the application.

Mr. Rodwell, on behalf of Mr. Morris, also protested against any delay, beyond that which was absolutely necessary, being permitted in the hearing of the case against Mr. Morris.

Mr. Montague Chambers was heard in reply.

The Chairman said that the Committee were of opinion that the petition of Mr. Stubber should be at once proceeded with, and stated that the Committee wished to know whether it was Mr. Montague Chambers' intention to proceed with the case against Mr. Morris as well as against Sir Rowland Blennerhassett.

Mr. Montague Chambers replied that that was a question which he was for the moment unable to answer; it might happen that upon looking at the evidence to be given, and which had been given, he might come to the conclusion that it would be advisable in his client's interest to proceed only against Sir Rowland Blennerhassett, and not against Mr. Morris, but at that moment he could not give any definite answer upon the point.

The learned Counsel was then heard to open the case of Mr. Stubber against the return of the sitting Members; having done so, he handed in the bribery list.

Mr. Riles then applied to the Committee for an adjournment, upon the ground of surprise, stating that he had had no opportunity of consulting with Mr. Montague Chambers as to the order in which the proceedings should be conducted.

Mr. Rodwell protested against time being unnecessarily

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Stainton,
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W. C. M.
Stanton.

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unnecessarily wasted, which he contended would be the result of granting Mr. Rilton's application.

Mr. Rilton was heard in reply.

The Chairman said that the Committee had decided that they would hear one witness; but before commencing the proceedings he called the attention of the learned Coun-

sel to the fact that a treating list had been handed in to the Committee, and that there was no allegation of treating in the petition of Mr. Stamber.

Mr. Montague Chambers admitted that there was no allegation in the petition, and regretted that so improper a course had been pursued.

JOHN MORGAN, was called in; and, having been sworn, was Examined by Mr. Rilton, as follows:

J. Morgan.

1868. Do you live in Galway?—I do.

1869. You are not an elector, I believe?—No.

Mr. Montague Chambers asked the Chairman to repeat the order he had already given, that all witnesses should keep out of the committee-room.

The Chairman reminded the learned Counsel that the Committee had yesterday intimated that if any witnesses to be called upon the second petition should be in the room, they would be disqualified.

Mr. Coffey said that the learned Counsel (Mr. Waters) of the Irish Bar, who had been acting with him in this case, had to-day received a Chairman's order to attend as a witness charged with bribery; he therefore asked that Mr. Waters might be excepted from the interdiction that the Chairman had pronounced.

Mr. Montague Chambers said he should not object to his friend's application, which was accordingly granted.

1870. Mr. Rilton (to the Witness).—Did you know a person of the name of Cottingham?—Yes.

1871. By the Committee.] What is his Christian name?—Martin Cottingham.

1872. Mr. Rilton.] Do you remember the morning of the polling day?—I recollect the morning of the poll.

1873. Do you know Mr. Brady?—I do.

1874. What is his Christian name?—John, I should think.

1875. Were you at his house on that morning?—Well, I was in a room there; it was the committee-room, I believe.

1876. What is Brady?—An architect.

1877. Were you in a room in his house?—Yes.

1878. In what room?—It was a committee-room, I believe, belonging to Sir Rowland Blennerhassett.

1879. How many persons were in the room?—A great many.

1880. Whose committee-room was it?—Sir Rowland Blennerhassett's, I should think.

1881. Was there anyone else there?—I am not aware of anybody else.

1882. Did you know whether it was Mr. Morris's committee-room?—I am not aware whether it was or not.

1883. Tell me the names of those you recollect?—There were a good many voters there.

1884. Do you recollect the names of any of them?—I do; there were Pat Hughes, Michael Hughes, and Martin Cottingham, and besides,

others that I do not recollect; I do not recollect who there were there, there were so many.

1885. Did any money pass?—Not there.

1886. What was done there?—They got cards to go to the poll.

1887. Who got cards?—Everybody who was going to the poll for that purpose, I suppose.

1888. Did you get a card?—No, I was not a voter.

1889. Did you see a card given to Cottingham?—I saw a card with him, not given to him.

1890. What card was it, do you know?—I think it was a card of Sir Rowland Blennerhassett's.

1891. Mr. Coffey.] He thinks it was?—I am sure it was.

1892. Mr. Rilton.] Did you see cards given to any of the Hughes?—I did not see them giving the cards.

1893. Where was it, if at any place, that you saw any money pass?—I saw Cottingham, after coming out of the place, had got the money before ever he voted.

1894. What money had he?—He had a 5 l. note.

1895. Did you see it in his hand?—I did.

1896. Did you say anything to him about it?

Mr. Coffey objected to the question.

Mr. Rilton said he would ask a few more questions, to show that the question could be asked.

1897. Mr. Rilton.] The question is, if he said anything with reference to the note; how far had he got from the house, before he showed it to you?—Something about 40 yards.

1898. Did you see him come out of the house?—I did not see him come out of the house, but he told me where he got it.

1899. You saw him in the house?—Yes, before that.

1900. How long after you saw him in the house, did you see him out of the house with the 5 l. note in his hand?—Less than half-an-hour.

1901. Was any other person with him?—Not at the time I met him secondly.

1902. Just answer yes or no to this question: did you and he have any conversation about the note?—Yes.

1903. You had?—Yes.

Mr. Rilton was heard against Mr. Coffey's objection, and contended that the question objected to could be put, submitting that any statement that was made by a person bribed, or alleged to be bribed, when he came from the house in which there could

he

be no doubt he had been bribed, was admissible in evidence.

Mr. Coffey was heard in reply.

The *Chairman* stated that the Committee were of opinion that the question was one that could not be put.

1904. Mr. *Ridley*.] You saw the 5*l*. in his hand?—Yes.

1905. How far was he at the time from the polling place?—He was quite convenient to the polling place.

1906. Where did he go to after he had shown you the note?—He went to the poll.

1907. Did you see him vote?—No.

1908. Do you know who he voted for?—Yes.

1909. Did you hear him vote?—No.

1910. Did you see any money in the hands of anybody else that morning?—No.

1911. You spoke of John Hughes; you saw the Hughes' at this house of Brady's?—Yes.

1912. Is it John Boucher Hughes?—No; I saw Pat Hughes and Michael Hughes.

1913. Do you know John Boucher Hughes?—I know J. B. Hughes.

1914. What is he?—A grocer.

1915. Did you see many people go into his house?—Yes.

1916. Is he a publican?—Yes.

1917. On the morning of the poll, or before it, did you see them go into his house?—Before that.

1918. What did you see going on there?—I saw people drinking.

Mr. *Ridley* said that he should not cross-examine this witness.

[The Witness was directed to withdraw.

Mr. JAMES POWER KEANE, was called in; and, having been sworn, was Examined by Mr. *Ridley*, as follows:

1919. ARE you a Pawnbroker and a Tea and Provision Merchant in Galway?—No.

1920. What are you?—I was.

1921. Were you at the time of the election?—I was.

1922. You recollect the time of the election?—I do.

1923. A few days before the election, did you meet Mr. John Oliver?—I did.

1924. Did you see him talking to anybody?—I did.

1925. To whom was he talking?—He was talking to a man in the street.

1926. Do you know the name of the man?—I did; but I do not now.

1927. What was it?—I do not know, just now.

1928. Have you forgotten it?—I have.

1929. What was he?—I do not know his trade either.

1930. Did Mr. Oliver say anything to you about it?—

Mr. *Ridley* objected to the question.

1931. Mr. *Ridley*.] What is Mr. Oliver?—He is a miller, and keeps a bakery establishment in Galway.

1932. Was he taking a part in the election?—Yes.

1933. What part was he taking?—He seemed to be doing all he possibly could for Sir Rowland Blennerhassett.

1934. Where did you see him making those efforts?—About 10 yards from my own door.

1935. Have you seen him on more than one occasion?—Yes, repeatedly.

1936. Do you know Sir Rowland Blennerhassett's committee-room?—I know his committee-room.

1937. Have you seen Oliver there?—No.

1938. How do you know he was doing all he could for Sir Rowland Blennerhassett?—I knew it through his clerk, and from his men.

1939. Did you ever see him canvassing?—Not myself, personally.

1940. What is the name of his clerk?—John Griffin.

1941. Was that the only way that you knew that, from his clerk and his men?—Well, being
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his son-in-law, and going in and out through the mill.

1942. Are you his son-in-law?—Yes; I knew, of course, the sentiments that pervaded the men in the mill.

1943. But, as regards Mr. Oliver himself?—Oh, of course, they were sure to be the same as he was.

1944. Will you just explain to the Committee: you said that he was doing all that he could for Sir Rowland Blennerhassett; will you explain any of the acts you saw him doing which led you to form that conclusion; tell us anything that you saw him do?—We used to be talking in the office, the clerk, him, and I, and the conversation used to turn upon how Mr. Lever humbugged the people of Galway, and that Sir Rowland Blennerhassett, being a man of some little weight in the country; we really did not know what weight he had, for I did not even know his name previous to the election, nor do I believe did Mr. Oliver himself; but these matters, of course, all convinced me that it was for Sir Rowland Blennerhassett that he was working and using his influence.

1945. Did you ever see him talking to Sir Rowland Blennerhassett?—Never.

1946. Do you know a person of the name of Andrew Halloran?—I do.

1947. Was he a voter?—He was.

1948. Do you recollect giving any money to Halloran yourself?—I do.

1949. How much?—£5.

1950. When?—A couple of days before the election.

1951. Did you hear him vote?—No.

1952. From whom did you receive that 5*l*.?—From no one.

Mr. *Coffey* stated that he had been informed that the name of Andrew Halloran was not in the list.

1953. Mr. *Ridley*.] Are you talking of Mr. James Halloran or Mr. Andrew Halloran?—Andrew Halloran, he is a baker.

Mr. *Ridley* applied to the Committee for leave to amend the list. Having been called
r 3 upon

J. Magan.
8 May 1866.

Mr.
J. P. Keane.

Mr.
J. P. Keane
8 May 1895.

upon so suddenly his clients had not had time to rectify the list, and he therefore wished to alter it by inserting the name of Andrew instead of James Halloran, which had been entered by mistake.

Mr. Coffey was heard against the application.

1954. Mr. Ristow (to the Witness). Do you know any one of the name of James Halloran?—No.

Mr. Ristow contended that it was an evident mistake in the Christian name, there being no voter of the name of James Halloran.

Mr. Coffey stated that he was instructed that there were several of the name of Halloran on the list.

1955. By the Committee.] Is there a man of the name of James Halloran?—Not to my knowledge, but there may be, there are so many Hallorans in Galway.

Mr. Coffey stated that he was instructed there was a James Halloran in the printed list of voters.

1956. Mr. Ristow (to the Witness). You only speak to having bribed one Halloran?

Mr. Ristow contended that it was a clear mistake.

The Chairman asked whether it was ascertained as a fact that there was a James Halloran on the list of voters.

Mr. Rodwell stated that he was instructed there was a James Halloran on the list as a registered voter, and was heard against the application to amend the list.

Mr. Ristow was heard in reply.

The Chairman stated that the Committee were of opinion that they could not amend the list.

Mr. Montague Chambers stated that some difficulty would arise from the decision of the Committee, which he felt it his duty to suggest to the Committee: they would have to report to the House whether bribery had prevailed, and, therefore, although attention had not been pointed to this particular voter, the Committee might, if they chose, inquire into the case generally with a view to their report.

1957. Mr. Ristow.] Do you know a person of the name of Peter Garightly?—There were two that I gave money to, one was a carpenter, and the other was a baker.

1958. Do you know a person of the name of John Garightly?—Yes, I know the two Garightys that I gave the money to.

1959. Did you give any money to John Garightly?—Yes, I think I gave him 4*l.* 15*s.*

1960. When?—On the same day.

1961. Two or three days after the election?—Yes.

1962. From whom did you receive that?—From the very same party; all the money I gave out after the two first 5*l.* notes, which I gave myself on the order of Mr. Oliver, I got from John Griffin with a list; I got two separate lists

from John Griffin, and he gave me a 5*l.* note for each name in the list; all that I was to do was to hand them the 5*l.* as they came to me.

1963. Now, did you give Peter Garightly any money?—Yes, I gave him 5*l.*

1964. By the Committee.] What list did you have?—The list was brought to me from Oliver's office by John Griffin.

1965. With a 5*l.* note for each name in the list?—Yes, for each name; there were 12 in the list, and when I had given that 12 a 5*l.* note each, Griffin brought me another list; there was about 18 in each list.

1966. Then you gave twelve 5*l.* notes for each list?—Yes.

1967. That would be 120*l.*?—Yes.

1968. There were two lists brought to you?—Yes, when the first was exhausted and given out Griffin brought me a second.

1969. Mr. Ristow.] To the best of your belief you received 120*l.* from Griffin?—About that; I will not state the exact sum.

1970. In notes, I suppose?—All in 5*l.* Bank of Ireland notes, quite new.

1971. Do you know John Barrett?—I do.

1972. Is he one of the men to whom you gave the 5*l.*?—The father and the son; Barrett and his son; they are both in the employment of Oliver; one is his foreman, and the other is a baker.

1973. Did you give each of them 5*l.*?—I gave each of them 5*l.*

1974. Are their names in the list?—I may beg to make this remark: when I say that I gave them 5*l.*, I did not give them 5*l.* in cash.

1975. What did you give them?—I was then in the flour trade myself, I said to them, "Now I have got nothing by this but just merely to give you the money, and I shall feel thankful if you will leave 5*s.* out of each 5*l.*, and I shall give you the full value of it in bread stuffs," and they all did this with the exception of Garightly himself, the baker, and he said he wanted to take a house, and he wanted the 5*l.* entire.

1976. In point of fact, with that exception, it was 4*l.* 15*s.* that you gave each of them; they giving you 5*s.*, for which you gave them bread?—Yes.

1977. Do you know a person of the name of Carpenter?—No.

1978. Do you know a person of the name of Jeffrey?—I know a man of the name of Jeffrey Murphy.

1979. Did you give him 5*l.*?—I did not; I got 5*l.* to give him, but I kept it myself for one of the 5*l.* that I had given the parties on Mr. Oliver's order; I kept it to pay myself for the former orders that I had paid out of my own pocket.

1980. Then poor Murphy did not get any?—Oh, yes; he got it from Mr. Oliver, for he told me so.

1981. You kept it for the 5*l.* that you had given to somebody that Oliver had desired you to give it to?—It was for the 5*l.* that I had given to Halloran.

1982. Now, Benjamin Matthews, do you know him?—Yes.

1983. What did you give to him?—I gave him the same as the rest.

1984. Was he amongst the number?—Yes.

1985. By the Committee.] Did you give him 5*l.*?—Yes.

1986. Mr. Ristow.] Now, can you tell me any

of

of the other names that were on the two lists?—Really, I cannot.

1887. Can you recollect any more names?—No, not just now.

1888. Did you give away the whole of the 120 l.?—I gave it all away but 5 l.

1889. Except what you have told us, were they all voters?—They were.

1890. I suppose there is no doubt about that?—There is not the slightest doubt.

1891. Do you know a man of the name of Michael Carran?—Yes.

1892. Do you recollect giving anything to Michael Carran?—I recollect Michael Carran bringing me an order.

1893. For what?—For groceries, or bread stuffs.

1894. He presented you with a piece of paper, and did you give him something?—I did.

1895. What?—Groceries and bread stuff.

1896. To what amount?—I don't know the exact amount just now.

1897. About what amount?—£5 or 10 l.

1898. What has become of the order?—I passed it to Mr. Oliver as cash.

1899. Did he give you cash for it?—No; he took it for cash in the place of flour.

1900. Now don't answer this question, because I am not quite sure whether it is a proper one; can you tell me who that order was signed by?

Mr. Riddle asked if there was any objection to the question.

Mr. Caffey replied in the affirmative.

1901. Mr. Montague Chambers.] Do you know what has become of the order, or is it torn up?—I don't know; it passed to Mr. Oliver; I never saw it since.

1902. Mr. Riddle.] Was it at your own house that you paid all these sums of money?—It was in my own drawing room.

1903. Has your house got peculiar facilities for anything of that kind; are there two doors of business to it?—There are.

1904. Leading into different streets?—Yes.

1905. You can come in at one door and go out at the other?—Yes.

1906. That is the way it was actually done?—Yes, that is the fact.

1907. Was that in accordance with your directions; did you desire them to do so?—I did.

1908. By the Committee.] Have you since settled accounts with Mr. Oliver?—In what shape?

1909. You had an account running with him, did you not; did Mr. Oliver admit his liability to pay this 5 l. or 10 l.?—I brought it down to the mill with the statement of my account, with some notes and gold, and I asked him, "Is it necessary for me to look after this; a note came from your own side, take it and see about it yourself"; he said, "All right, I will take it as cash; I will give you credit for the amount as cash."

1910. Was this before, or after the election?—It was after I had given up all the money, and I was settling my money.

1911. After the election?—It was two or three days after the election; the election was on a Saturday, and I think this was on a Tuesday or a Wednesday.

1912. Do you recollect whether these men when they came to you had any tickets or cards with them?—No; I got the list and the money together.

1913. You knew the men?—I did; I knew the greater number of them.

1914. You knew the right men to pay?—Oh, yes; I knew they were directed to come to me.

Mr. Riddle stated that he should not cross-examine this witness.

[Adjourned to To-morrow, at 11 o'clock.

Mr.
J. P. Kears.
8 May 1895.

Wednesday, 9th May 1866.

HENRY HUSSEY VIVIAN, ESQ., CHAIRMAN.

JAMES CAMPBELL was called in; and, having been sworn, was Examined by Mr. RILEY, as follows:

- J. Campbell. 2015. WERE you at the last Galway election?
—I was.
- 9 May 1866. 2016. Were you writing clerk and secretary to Mr. Stubber's committee?—I was.
2017. Now were you in the committee-room when Mr. Stubber's tickets were called for, by a number of voters?—I was.
2018. How many tickets were issued?—Oh, I could not state.
2019. About how many?—The number of cards appeared to be large, and they were all issued.
2020. But can you say whether there were two, three, or four hundred?—There were 300 at any rate.
2021. Did you see tickets given to the men that applied for them?—I did.
2022. Were they voters?—They were.
2023. They came there to the committee-room, and applied for the tickets?—They did.
2024. For Mr. Stubber's tickets?—Yes.
2025. And they were given?—They were.
2026. Did you yourself get any money to vote?—To vote, sir?
2027. Did you get any money?—No.
2028. Did anybody canvass you for your vote?—I was canvassed.
2029. By whom?—By Mr. Morris.
2030. Himself?—Himself.
2031. When?—Two months previous to the election.
2032. Did you see him immediately before the election?—Two months before the election.
2033. Did he canvass you after that?—No, sir; he had no occasion to come at all to canvass me.
2034. Did you promise him to vote?—Decidedly.
2035. Now, before the election, did anybody give you any money?—
2036. By the Committee?—Who did you vote for?—I voted for Sir Rowland Blennerhassett and Mr. Morris.
2037. Mr. RILEY.] Who did you say you voted for?—Sir Rowland Blennerhassett and Mr. Morris.
2038. Did you get any money after the election?—No.
2039. Were you promised any?—No, sir; I was not.
2040. After the election, did you go and apply to anybody for money?—I did.
2041. To whom?—To the man that took me to the poll.
2042. Well, who was he?—He was a Mr. Griffin; Pat Griffin.
2043. When did you first see him?—I saw him on the morning of the voting.
2044. Before you voted?—Yes.
2045. Well, did he say anything to you?—He did not.
2046. Did he canvass you?—No, sir, he did not; I took him, as I knew him to be a respectable person, and I said I would rather go with him than with a lot of persons.
2047. Then you went with him to the poll?—I did, and five other men went with me.
2048. And he heard you vote?—He did; he heard me.
2049. He knew how you voted?—He heard me voting.
2050. Well, now, did you apply to him afterwards?—I did.
2051. For money?—I applied to him to get me money.
2052. By the Committee?—Did Griffin make any statement to you which induced you to go with him to the poll?—He made no statement; I saw him standing in front of the Court House, and I wished to go with him, being a respectable party.
2053. Mr. RILEY.] Did you know for whom Griffin was canvassing?—I did not see him canvass at all.
2054. Do you know for whom he was interested?—I know he was interested for Sir Rowland Blennerhassett; I am quite certain of that.
2055. And you went with him to the poll?—I did, sir.
2056. Now then, did you receive any money from Griffin?—No.
2057. Where did you go to apply for it?—I went to Griffin himself.
2058. Did you go to him at his house?—I met him in the street.
2059. Did he take you anywhere?—No, he did not.
2060. When you voted did you get a card?—I had a card going to vote.
2061. You received a card going to vote?—I did.
2062. Who gave it you?—It was filled up for me at Sir Rowland Blennerhassett's committee-room.
2063. How

2063. How long before you voted?—About three minutes.

2064. It was filled up, you say; how was it filled up?—Off the registry; the number that I was on the register was placed on it.

2065. Was Griffin there at that time?—He was.

2066. Did he see you get the card?—He brought five cards over with him in his hand, one for each of them.

2067. He brought five cards?—There were five men of us together.

2068. He gave a card to each of you five?—Yes.

2069. Did the whole five go off with him, or he go with them to the poll?—Yes.

2070. When he gave you the cards, did he say nothing?—No, sir; we handed the cards to the agent at the booth.

2071. To whom did you hand them?—To the best of my knowledge it was Joseph Kelly and Dutton that I handed my card to.

2072. I propose to put this question; I do not know whether my friend will object to it, and therefore do not answer it until he has expressed an opinion upon it; I want to ask you whether you saw any money paid to the man that went up with you to the poll.

Mr. Rodwell objected to the question.

2073. Mr. Rodwell.] Then I will ask this question: could you tell me the names of the four men who went up with you?—I do not think I could recollect them; there was a Pat Connell, jun.

Mr. Rodwell.] That is in the list; it is at the bottom of the second page.

2074. Can you give me any other name?—John Campbell.

2075. Can you give me the name of another?—I cannot recollect the others; those are two of the men, and myself; I can only think of three out of the five.

2076. You are quite sure of them?—I am.

2077. By the Committee.] There were four with you?—Yes, four and myself.

2078. Mr. Rodwell.] Did you see John Campbell receive any money?—No, I saw none of them receive any money.

2079. Did they go anywhere after the election?—I saw them speak to Griffin; I had no card coming out of the booth room.

2080. Had they?—They did; they brought their cards away with them; and when I found that, I returned for mine, and it was torn up by the agent; he said, "The card is torn up, and it is thrown down there," and he showed me where it was thrown.

2081. They had their cards?—They had.

2082. Did you see them come out with their cards?—I saw them come out; I did not know whether they had the cards or not; because if I had thought that they had, I would have brought my card too.

2083. Where did they go with Griffin?—He brought them to no place; he went to get more voters.

2084. Did you see them at any time afterwards receive the money?—I did not see them receive the money.

2085. Do you know whether your brother, John Campbell, is here or not?—He is not here.

2086. Do you know Brady's house?—I do.

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2087. On the morning of the election, do you recollect seeing any voters?—I do.

2088. And people going to Brady's house?—Yes.

2089. A number of them?—A number.

Mr. Rodwell stated that he should not cross-examine this Witness.

Cross-examined by Mr. Coffey.

2090. You say you saw a man of the name of Griffin in the tally-room, as I understand it, where the voters were collected before they went to vote?—No; it was outside in the street that I saw Mr. Griffin.

2091. Not in the tally-room?—Not in the tally-room.

2092. Then he got cards filled up, and the register number of each voter taken from the register?—Yes.

2093. Was that done with all the electors that were brought up?—To the best of my opinion, it was.

2094. And was that done for all the candidates; for Mr. Lever as well as the others?—Certainly.

Mr. Rodwell.] Will you put your question as to Mr. Morris also.

2095. Mr. Coffey.] There was no combination or amalgamation that I am instructed; who was Griffin; was Griffin employed in the committee-room?—No, not in the tally-room; he seemed to be acting as an out agent; he was acting outside.

2096. As all events, he brought you and four others with cards in your hands to vote?—He did.

2097. Then he went back to collect more voters?—Yes.

2098. Am I right in saying that he was occupied in getting voters from the tally-rooms across to the place where they voted during the day, as far as you perceived?—He was as long as he thought well of it.

2099. Now tell me, you said, as I understand you, that you were a clerk of Mr. Stubber's?—I was.

2100. Were you a clerk during the election there?—No.

2101. Are you his permanent clerk?—No.

2102. Then, when did you commence to be employed by him?—About 12 days previous to the election.

2103. And have you continued in his employment ever since?—Oh, no; it was for making out street lists and preparing for the election.

2104. Now tell me, how many voters do you know voted for Mr. Stubber?—I am not quite certain.

2105. Now tell me, are you perfectly serious in telling the Committee that 400 men applied to get cards to go and vote for Mr. Stubber?

The Chairman said he understood the Witness to have said 300.

Witness.] I tell you distinctly, there was 300 cards taken from the committee-room with their names and numbers on the register placed on the card.

2106. Now, I believe they are fond of jokes in

J. Campbell in Galway, are they not?—There are jokers in every part.

8 May 1868. 2107. Was not that a joke, for 300 to get cards, and only 22 go up to vote?—They saw that Mr. Stubber was very charitable to the poor, and I believe that throughout they took the cards to poll for him.

2108. Oh, Mr. Stubber was very charitable to the poor?—He was, sir; to the poor fishermen especially.

2109. Now, how did he show his charity; did he give them anything for drink?—No.

2110. Did he give them anything to eat?—No, he released some of their nets out of the pawn-office, to enable them to go fish.

2111. How many days before the election did he do that?—Oh, he has done it more than once, sir, in Galway.

2112. But how many days previous to the election did he release these nets?—It was a good many days, sir.

2113. Did you go to the pawnbroker's with him?—No; I had no hand at all in that matter.

2114. Then how do you know that he released these nets?—Because the fishermen deal with me.

2115. Now, how much money did he spend in releasing the fishermen's nets?—I do not think he spent a great deal of money.

2116. About how much?—It might amount to 30 l. or 30 s., perhaps.

2117. Did he buy ropes for them?—No.

2118. He did not buy anything of that sort?—No.

2119. Did he get any meal for them?—Well, I could not say, for I had to attend to my own business.

2120. By the Committee.] What is your business?—Rope manufacturer, sir.

Re-examined by Mr. Stöck.

2121. How long was it before the election that he released their nets?—Oh, it was a long time.

2122. He is a charitable man in the neighbourhood, is he not?—Not a doubt that he is, sir.

2123. Now you were asked whether you considered this a joke or not; did you consider it a joke their coming to ask for 300 cards?—It did not appear to me to be like a joke.

2124. In your opinion, was it a joke or was it reality?—It appeared to me to be reality.

2125. Did you hear them state who they would vote for?—Oh, yes, certainly; they stated at the time, "Give me the card, and I will vote for Mr. Stubber in the morning."

2126. Are you able to form any opinion as to why they did not vote?—No, I cannot.

JAMES CHAMBERS, was called in; and, having been sworn, was Examined by Mr. Montagu Chambers, as follows:

8 May 1868. 2146. At the last election, were you a freeholder of Galway?—Yes.

Mr. Montagu Chambers said this Witness had been examined before, and that he proposed not to read his previous evidence, but to ask him a few supplementary questions.

The Chairman asked the learned Counsel whether the Committee were to consider the former evidence of the Witness as evidence in this case.

2127. By the Committee.] Did you get paid by Mr. Stubber when you were his clerk?—I did, sir; I got paid for the days that I was writing for him.

2128. How much were you paid;—I got 2 l. for the 12 days.

2129. Is that all?—£. 3 for the 12 days.

2130. Anything else?—No, sir.

2131. You were not paid in food?—Well, I was not; but I expected more.

2132. That card which you received, you said that the clerk tore it up?—The agent at the booth tore up the card.

2133. He tore up the card?—He tore the card when I did not put my hand on it after voting; at least, so he said when I returned to get the card.

2134. Was it usual to give back the card?—Yes.

2135. Then, after you got the card back, was it usual to take it and apply for money on it?—I did not get it at all.

2136. Is it usual to take it and apply for money for it?—They would get no money without having that card.

2137. Why did you go back to fetch your card?—I asked the other men that were in front of me after voting with me.

2138. You went back to fetch your card, and found it was torn up?—I asked the other men whether they had the cards, or whether Mr. Griffin had them, and they said that they each had their own card; so I ran back for mine; and when I applied for it, Mr. Kelly told me it was torn up.

2139. Why did you go back for yours?—To have my card the same as the other men.

2140. What did you want to do with your card after you got it?—Hearing the other voters say that they received money in the morning for their cards, I wanted to get my card.

2141. What was the use of the card to you; why did you go to get the card; why did you want it?—Because I expected to get money on it.

2142. Did you observe what was on the card?—I did; I read it.

2143. What was on it?—"Sir Rowland Blennerhassett's Polling Card," and my name there, with my number on the register.

2144. Was Mr. Morris's name at all on that card?—Not at all; he had cards of his own.

2145. Did you get one of Mr. Morris's cards?—I did not.

[The Witness was directed to withdraw.

JAMES CHAMBERS, was called in; and, having been sworn, was Examined by Mr. Montagu Chambers, as follows:

8 May 1868. 2146. At the last election, were you a freeholder of Galway?—Yes.

Mr. Montagu Chambers said this Witness had been examined before, and that he proposed not to read his previous evidence, but to ask him a few supplementary questions.

The Chairman asked the learned Counsel whether the Committee were to consider the former evidence of the Witness as evidence in this case.

Mr. Montagu Chambers replied in the affirmative.

2147. Who took you to vote for Sir Rowland Blennerhassett and Mr. Morris; do you know a man of the name of Pearce?—Yes, sir.

2148. Did he ask you to vote for anybody?—He did.

2149. What is Pearce's Christian name?—John Pearce.

2150. Who did Pearce ask you to vote for?—He asked me to vote for Mr. Morris.

2151. Well,

2151. Well, now, had you seen Pearce going about canvassing?—I did not see him canvassing any more than myself and another man named James Shaw, but I saw him on the day of the poll.

2152. What other men had he canvassed?—Well, I could not say exactly what other men.

2153. But were they voters?—Yes, they were voters.

2154. Well now, was he in company with anybody, when he canvassed you and canvassed the other voters?—No, at his own door.

2155. Now, on the day of the poll, did you see Pearce doing anything, or did he make any application to you then?—No.

2156. What was he doing on the day of the poll, if anything?—I could not tell you anything about that.

2157. Now you went up and voted, did you not?—Yes.

2158. Did you get any money for your vote?—I did.

2159. From whom?—From Mr. Thomas Fahy.

2160. Before you got that money, did you get a ticket?—I did.

2161. Where did you get the ticket from?—In the booth room, near court house, where I voted.

2162. Who gave it you?—I cannot remember who gave it, because we had to get it from the clerks that sat round the table.

2163. Was that before you went to vote?—Yes.

2164. Now, did you know who that ticket was to vote for?—That ticket, sir?

2165. Yes?—Yes, I did know that ticket was to vote for Sir Rowland Blennerhassett.

2166. You say that ticket was to vote for Sir Rowland Blennerhassett?—Yes, sir.

2167. Did you get any other ticket?—I did.

2168. Where did you get that?—I got it from Mr. Harrison in another place.

2169. For whom was Mr. Harrison acting?—For Mr. Morris, sir.

2170. Where was he acting for Mr. Morris, at what place?—At the rear of the court house.

2171. Now then, we have understood that you voted for both; when you voted, did you get any ticket?—No.

The *Chairman* asked if this Witness's name was on the list of those who had been bribed.

Mr. *Montagu Chambers* replied that it was.

2172. Well, now, when you had voted, did you get any ticket?—No ticket, sir, after voting.

2173. You got two tickets, you say?—I did, before voting.

2174. What did you do with those?—The man who paid me, took charge of my tickets and polled me, and brought me to his house, and paid me.

2175. What man?—Thomas Fahy.

2176. Did he take you with any other voters, or alone?—No; he took six tickets, and six men to the poll.

2177. Now tell me, which place did he take you to from the poll; you say you got a ticket to vote for Sir Rowland Blennerhassett, and you also got a ticket to vote for Mr. Morris; which place did Fahy take you from, from Mr. Morris's room or from Sir Rowland Blennerhassett's room?—He came up to us, sir, and took our tickets, 274.

and polled us; there was a difficulty in polling us, the crowd was so great. *J. Ormsker.*

2178. He came up to you after you had been to these places?—Yes. *9 May 1866.*

2179. And then took you to the poll?—Yes, sir, and took our six cards and polled us.

2180. Now, do you know the names of the persons who went up with you to the poll?—I do.

2181. What are their names?—James Shaw, Sam Shaw, and Bill Shaw.

2182. Three Shaws?—Pat O'Donnell and Pat Sullivan.

2183. Do you know a man of the name of Hubbard?—I do.

2184. Did he go with you?—No.

2185. Now, did you all poll at the same time; those five that Fahy took up to the poll?—Yes.

2186. Whom did you poll for, all of you?—All for Sir Rowland Blennerhassett and Mr. Morris.

2187. Now, on the evening of the polling day, did you go anywhere to get your money?—I went to Mr. Fahy's house.

2188. Well, now, you have named these men; did they go also?—They did.

2189. Did you see them there, or did they go with you?—I did.

2190. Did they go with you, or did you find them there when you were at Fahy's on the evening of the poll?—It was at a public-house; they were sitting there drinking, and they came with me to get paid, and I got paid just as well.

2191. Did you go with them to Fahy's to be paid?—I did.

2192. Were they paid as well as you?—They were.

2193. How much each?—5*l.* each.

2194. Now, besides that, did Pearce give you anything, or offer you anything, for voting for anybody; John Pearce I am speaking of?—He promised me 5*l.*, but I did not get it.

2195. But did he give you anything else?—Nothing of any value.

2196. I suppose a bottle of whiskey; did he give you anything of that kind?—Some trifle that way.

2197. Was it a bottle of whiskey; tell us what it was?—It was, sir.

2198. Did he give you any little coin besides?—Very little; there was another man and myself asked him for something, and he only gave us a shilling to have something to drink.

2199. By the *Committee*.] That was another man, I understood?—Another man.

2200. Did you get a shilling each?—No, we got it between us, sir.

2201. Well, now, before he gave you that, when he promised you the 5*l.*, which you say he did not give you, did he say what he would give you the 5*l.* for?—Surely for Mr. Morris, and nobody else.

2202. What were you to do for Mr. Morris for the 5*l.* he promised you?—Surely to vote for him; the two of us, James Shaw and myself.

2203. Did he give you 5*l.* between you?—No, the two; he told us he would give us 5*l.* each.

2204. Mr. *Montagu Chambers*.] After the voting did he give you any reason why he would not give you the 5*l.*, and only gave you the bottle of whiskey?—He said he could not do it, sir.

2205. Did he say why?—He did not tell us why.

J. Ormerod. 2206. When was it; how long after the poll was it that he gave you this bottle of whiskey, and said he could not give you the 5*l.*; was it the same day?—Before we polled we got the whiskey.

2207. And was it before you polled that he said he could not give you the 5*l.*, or after you polled?—After I polled he would not give me the 5*l.* He promised it to me before I polled, sir.

2208. Then, how long after you had polled was it that he told you he could not give it to you; the same day, or a day or two afterwards, or when?—In a day or two afterwards I asked him, and he said no; and I asked him a week after, and a month after, and he said no.

2209. Did he ever give you any reason as to why he could not give you 5*l.*?—Never any reason or any satisfaction.

2210. You have named other persons who received their 5*l.* at Fahy's public-house on the evening of the polling day; did you see any other voters at Fahy's public-house on the evening of the polling day receive any money?—No sir, I did not, indeed.

2211. Who was paying the money?—Himself, sir; Fahy.

Cross-examined by Mr. Rodwell.

2212. Now, you were examined the other day, I think, were you not?—Yes, sir.

2213. Only a day or two ago; how came you the other day, when you were asked about this matter, how came you not to tell the Committee what you have been telling us to day?—I was never asked it, sir.

2214. Were you not. Now, just attend to me; you were asked this question: "Were you canvassed by Mr. Pearce?—I was. For whom?—Mr. Morris. Were you canvassed by anyone for Sir Rowland Blennerhassett?—Well, indeed, I was not altogether for Sir Rowland Blennerhassett," and so on. "John Pearce never told me anything at all, but canvassed me for Mr. Morris." Now, then, you were asked that: which is true, that John Pearce never told you anything at all, but canvassed you for Mr. Morris, or that John Pearce promised you 5*l.* to vote for Mr. Morris?—That is the truth, sir.

2215. But why did you say the other day, then, "John Pearce never told me anything at all, but canvassed me for Mr. Morris"?—I do not think I could have said that.

2216. Oh, yes, you did. Now, how do you explain that; have you been talking about this matter since you were examined the other day by this gentleman here?—All the talk to me would not make me change.

2217. Answer the question plainly; have you been talking about this matter, or examined about this matter, since you gave evidence here the other day?—Not a single word that way.

2218. Not at all?—Not to put on —

2219. Finish your answer—not to put on what?—I have not, indeed; I have not talked about that.

2220. Do you swear that?—I do, surely.

2221. You swear you have not been speaking to anybody about your evidence, or given any further evidence than you gave the other day, or made any further statement?—Oh, I was, to be sure, but not altering my mind.

2222. Who have you been talking to about it since you were examined the other day: who

have you been talking to about your evidence?—I was talking to an attorney.

2223. Which of these gentlemen?—An attorney, I think.

2224. Is he here?—Yes; it is that gentleman (pointing to a gentleman behind the learned Counsel).

2225. Have you been talking to him?—I have.

2226. Since you were examined here the other day?—Yes.

2227. About your evidence?—Yes.

2228. About the 5*l.* and Mr. Morris?—Yes.

2229. What did you mean by giving me the answer three seconds ago, that you had not been talking to anyone about this evidence.

The shorthand writer was requested to read the following question and answer:—

"Answer the question plainly; have you been talking about this matter, or examined about this matter, since you gave evidence here the other day?—Not a single word that way."

"Not at all?—Not to put on —"

2230. Is that evidence which you have given false?—I spoke to that gentleman, and I was not examined about what I had to say; there were no questions asked me of what I had to say.

2231. That is not an answer to my question; the shorthand writer will read my question to you again?

The shorthand writer read the following question:—

"What did you mean by giving me the answer, three seconds ago, that you had not been talking to anyone about this evidence?"

2232. Have you been talking to anyone about this evidence?—I have.

2233. Then what you swore two minutes ago was a lie.

Mr. *Messrs Chambers* objected to this mode of examination; and, after some discussion, the examination was continued, as follows:

2234. Mr. *Rodwell*.] When was it you spoke to this gentleman about it?—In the evening when I left here I made the remark that I had not been asked the entire of what I could say, and I was allowed to leave the court without saying what I had to say.

2235. You went and told them that you had more to say than you had said?—Yes.

2236. Did you go to the attorney and tell him that you had more to say than you had said when you had been examined?—I made that remark.

2237. Where did you go to then?—I went to my lodgings.

2238. Did he come over to your lodgings, or did you go to him next morning?—I went to him next morning.

2239. At his office?—Yes.

2240. Did you make the statement to him?—Of course, he took another statement what I had to say.

2241. Did he take it down in writing?—Yes, I told him.

2242. And he took it down in writing?—I think he did.

2243. Is

2243. Is it untrue then what you said just now, that you had said nothing about it in that way, and that nothing had been taken down, or words to that effect?—

Mr. Montague Chambers objected to the question, as not representing what the witness had said.

2244. Mr. Reeves.] I did not pledge myself to the particular words. You told me in fact just now that you had made no statement about this evidence, and you then told me that you had made no statement that was taken down in writing?—

The shorthand writer read the Witness's previous answer, as follows: "I spoke to that gentleman, and I was not examined about what I had to say. There were no questions asked me of what I had to say."

2245. Then it is untrue, that statement that you made to me?—I do not understand you.

2246. How long were you with this gentleman, this attorney?—I do not know how long.

2247. Yes, you do; was it half-an-hour?—Well, indeed it was not that, I do not think it was.

2248. How long was it; I do not care how long it was, if you will say?—Well, we will say a quarter of an hour.

2249. Was he writing all that time?—No.

2250. Was he talking to you?—He was not talking to me all that time.

2251. What did you tell him then?—I could not tell you now.

2252. You must?—I do not know exactly what I told him.

2253. Did you go to him by appointment?—No.

2254. Was it not by appointment on the previous afternoon?—No.

2255. Did he not tell you when you left him that you were to come to him next morning?—I do not think he did.

2256. What did he say?—I forget.

2257. How came you to go there?—Well, some of my parties took us up, and we went to see him.

2258. Some of your party?—Yes.

2259. Name the party?—Edward Mardon.

2260. Did Edward Mardon say anything with regard to the evidence you had been giving?—No, I do not know that he did.

2261. How came you to go there then, did Mardon tell you to go there?—I do not know that he did; we might have had some talk about it.

2262. Did not you and Mardon talk over this evidence before you went to the attorney's office?—We did, I think.

2263. The night before or the morning before you went, or both?—(No answer.)

2264. Do not keep me waiting in this manner, pray?—What is it, sir?

2265. Do not you know what I asked you?—Ask me again.

2266. Did you and Mardon talk over it the night before you went to the attorney, or the morning before?—We often talked about it.

2267. After you had been examined?—Indeed I do not know whether it was before or after. I forget now whether it was before or after.

2268. You do recollect it, and I can refresh your memory; did you not walk down to the

office with Mardon, and tell Mardon what you were going to say about that 5*l.* note of Pearce's; just recollect yourself?—I did not care to trouble myself about telling Mardon about it; I did not think he could do or say anything about it.

2269. You did tell Mardon, did you not?—It does not much matter if I did; I forget now; did I tell him or not?

2270. I will refresh your memory, if you say you cannot answer; I will ask you again before I have to go a roundabout way to get at it; did you not talk over this 5*l.*, and Mr. Pearce and Mr. Morris, with Mardon on your way that morning to the attorney's office?—Yes, I am sure I did.

2271. Have you just recollected that?—(No answer.)

2272. Have you just recollected that?—(No answer.)

2273. Have you just recollected that, I ask you?—Oh, I have, sir.

2274. You had forgotten it before?—(No answer.)

2275. Did Mardon tell you that you had not hit Morris, and that your evidence only went against Sir Rowland Blennerhassett?—No, not a word.

2276. Nothing of that sort?—No, sir, not a word.

2277. Well, did he tell you about it?—I was saying to Mardon, that I was not asked what I intended to say, and that I should answer but what I was asked, and that I had more to say about it; that was all the conversation I had.

2278. You told him what it was you had to say?—I do not know whether I did or not.

2279. Did he not ask you what it was you had to say, and did you not tell him?—Indeed, he did not ask me.

2280. You told him without asking; is that what you mean?—I told him without asking.

2281. Now, I will go back to a question that you were asked the other day; you were asked a question about Mr. Pearce, and your answer was this: "John Pearce never told me anything at all, but canvassed me for Mr. Morris;" now it appears John Pearce did tell you about the 5*l.*?—He did, really.

2282. At the time you gave the answer the other day, in these words: "John Pearce never told me anything at all, but canvassed me for Mr. Morris;" had you forgotten about the 5*l.* note?—No, he never told me about Sir Rowland Blennerhassett, that is what I meant to say.

2283. Your answer is: "John Pearce never told me anything at all, but canvassed me for Mr. Morris;" you meant then, that he never told you anything about Sir Rowland Blennerhassett; is that what you mean to say?—Yes, just so.

2284. That was what you meant by that answer?—Yes.

2285. Did you not say the other day that you received the 5*l.* note from Mr. Fahy; I will read it to you to refresh your memory; "Did you receive any money from Higgins or Mr. Burke?—No, nothing; no. Did you ever state in the presence of Edward Mardon that you had had 5*l.* for your vote?" this is in the examination in chief; "I am sure I did. Was that true?—It was true, sir. From whom did you receive the 5*l.*?" then there is some discussion about the admissibility of the question, and then it goes on in this way—"From whom did you receive that 5*l.* for your

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note?—From Mr. Fahy." Do you recollect stating that?—Yes.

2286 Had you forgotten about Pearce offering you the 5*l*?—I did not forget it.

2287. Then it was the omission of the gentleman who asked you?—As I was not asked about it, I had no notion of saying it.

2288. Had you made a statement to anyone before saying that Pearce had offered you 5*l*, and was that taken down in writing?—(No answer.)

2289. Before you were examined the other day, were you examined by an attorney?—Yes.

2290. Who was that gentleman; was it the same that you have spoken to just now?—The very same.

2291. Did you tell him then anything about Mr. Pearce and Mr. Morris, and the 5*l*?—I think I did.

2292. Be sure about it?—I am not sure; but I had a right to tell him if he asked me.

2293. Did you tell him at the time; do you recollect one way or the other?—I think I did.

2294. Then what you told him the other morning when you went to him was not fresh; had you said a word to him about that 5*l* and Mr. Pearce and Mr. Morris until after you were examined the other day?—I had it always to say; I could always have said it.

2295. I ask you, had you stated before you were examined the other day anything about Mr. Pearce and the 5*l* note?—Oh, yes; often.

2296. To that attorney?—No, sir.

2297. Where are you lodging, may I ask?—I forget the name of the place.

2298. Is it in London?—Yes.

2299. How long have you been up in London?—Since Sunday.

2300. Have you received any money yet for your expenses?—No, indeed.

2301. Not a halfpenny?—No, indeed.

2302. Not for your travelling expenses?—No, indeed.

2303. Have you paid them out of your own pocket?—No; I got some money to pay my expenses.

2304. Have you paid your own expenses?—I have not paid anything for my expenses.

2305. Who paid your expenses for coming here?—My fare, you mean?

2306. You did not pay it yourself?—No.

2307. Have you paid any expenses since you have been in London?—Not a penny.

2308. Who do you look to for payment?—I will look to the man with me; Edward Murden.

2309. Your friend, Edward Murden?—Yes.

2310. Has he made any bargain with you as to how much you are to have?—Indeed, he has not.

2311. Nothing at all?—Nothing.

2312. Edward Murden has not spoken to you at all, nor you to him, about what you are to have?—No.

2313. Not a word?—Not a word.

2314. You have no notion of what you are to have?—I have no notion of what I am to have; but he feeds me.

2315. You do not expect to be paid?—It is all according to what the court allow me; I do not know whether I will or not.

2316. You expect to get something?—I ought to get something; I am a tradesman, and I have come up here all the way from Galway for nothing at all, and I left the family after me, and

I think it is too bad if I am not satisfied for my trouble.

Re-examined by Mr. Montagu Chambers.

2317. Now, attend to me; were you served with a warrant; what is called a Speaker's warrant?—I was.

2318. When was that?—Some time last week.

2319. Well, did they give you anything with the warrant to bring you here?—Yes.

2320. What did they give you?—Just as much as carried me up.

2321. But tell us the sum?—Three guineas.

2322. Did you start immediately after you had been summoned?—I did.

2323. Were you served with a warrant to come on behalf of Mr. Lever; was it to attend as a witness for Mr. Lever?—Yes.

2324. What time on Sunday did you arrive?—By the late train in the evening; about seven, I think.

2325. You gave your evidence, I believe, on the Monday?—Yes.

2326. Before you had given your evidence on Mr. Lever's petition on the Monday, had you seen anything of this gentleman who stands behind me; look at him; the attorney?—I have, sir.

2327. Before you gave evidence?—I have.

2328. You arrived on the Sunday evening; did you see this gentleman at all before the Monday?—I have, sir.

2329. Where did you see him?—I saw him at his office.

2330. Well now, I want you to tell me when you first saw him; and, before you gave your evidence here, did you tell him anything about what you could say?—I did, sir.

2331. Was that on the Sunday evening?—Yes, sir; I think it was on the Sunday evening after I came up.

2332. I am anxious to know the exact time, and, therefore, consider; was it on the same evening that you arrived in town that you saw this gentleman who stands behind me, who acts for my client?—It was, sir.

2333. Now then, you gave him a statement then?—Yes.

2334. You were examined the next day, I understand, on the part of Mr. Lever?—Yes, sir.

2335. When was it that you said to anybody that they had not asked you all the questions that they might have asked you?—After I went home.

2336. Now, tell me, who did you mention it to first that they had not asked you all the questions that might have been asked you; can you recollect this; I will get this from you first; are you staying in the same house with any other witnesses?—Yes.

2337. Now, can you recollect who you mentioned it to that you had not been asked all the questions that you might have been asked?—I think, to Edward Murden.

2338. Well now, you have mentioned that you did go to the office of this gentleman; when was it that you went to his office; can you recollect that; you know to-day is Wednesday; was it the day before yesterday, or yesterday morning, or when?—I think it was yesterday morning, sir, or the next day before that again.

2339. Oh, the day after you had been examined,

examined,

mined, you went to the office of the attorney of Mr. Stubber?—Yes.

2340. Well, who was it went in company with you; how did you find your way to the place where you found him?—Edward Murdon knew the way, sir.

2341. And took you there?—Yes.

2342. Well, when you got there, did you give a statement to this gentleman who is standing behind me of what you could say?—I did.

2343. Now, did he desire you to attend as a witness, or to remain in town; tell us what occurred when you saw him?—Yes.

2344. He desired you to remain?—Yes.

2345. Now, I observe, when you were examined the other day, the first question put to you was this: "Do you know John Pearoe; were you canvassed by Pearoe?" do you recollect that being asked you?—Yes.

2346. Then the question was put, "For whom; for Mr. Morris; were you canvassed by anyone for Sir Rowland Blennerhassett?" and your answer is, "Well, indeed, I was not altogether for Sir Rowland Blennerhassett. What do you mean by 'not altogether'; were you canvassed at all for Sir Rowland Blennerhassett?" then the answer was, "John Pearoe never told me anything at all, but canvassed me for Mr. Morris"; do you recollect that?—Yes.

2347. Well, now, when that question was asked of you about your being canvassed for Sir Rowland Blennerhassett, did you understand it was meant as to what occurred as to the canvass for Mr. Morris, or whether it applied to Sir Rowland Blennerhassett?

Mr. Blake objected to the form of the

question, but said he should not object if the witness was asked, not what he understood by it, but what he meant by it.

J. O'Grady.

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2348. Mr. Montagu Chambers.] Then, I will put it in this way; what did you mean by giving the answer, "John Pearoe never told me anything at all, but canvassed me for Mr. Morris"?—

Mr. Blake again objected to the question.

Mr. Montagu Chambers said he would not cause delay by discussing the matter, but would withdraw the question.

2349. Now, as you have been asked a question about telling lies; in the evidence that you have given to-day, I will ask you this question, have you told the truth to the best of your recollection and knowledge?—(No answer.)

2350. You stated certain things to me when I asked you certain questions; did you answer truthfully then?—I did, sir, I think.

2351. Well, now, tell me this; as you have been cross-examined with regard to money and expectations of money, has anyone held out any expectation of your receiving money for giving your evidence against Sir Rowland Blennerhassett or against Mr. Morris?—I was not promised a penny as yet, but whatever I may get I hope to get something; but I have not got it, and I have not been promised it.

2352. For what; for coming here?—For coming here, to bear my expenses.

[The Witness was directed to withdraw.]

MR. JOHN HART, was then called in; and, having been sworn, was examined, as follows, by Mr. Montagu Chambers.

2353. Do you live at Galway?—I do.

2354. What are you?—Hitherto, I have been in business.

2355. Hitherto! were you in any business at the time of the last Galway election?—I was.

2356. What were you?—I then conducted a china and glass establishment.

2357. Are you a voter?—Yes.

2358. As a freeman, or a freeholder, or what?—As a householder.

2359. Do you know Mr. Edward Connaught, the attorney and solicitor?—I do.

2360. The day before the last election, did you call upon him?—Yes, I did; at the instance of a friend.

Mr. Blake asked with respect to what case this witness was called.

Mr. Montagu Chambers replied, that he was called to prove agency.

2361. At that time were you acting in any capacity for Mr. Lever?—No.

2362. What was Mr. Edward Connaught?—I think he was a solicitor; I heard Mr. Connaught himself say that he was conducting agent for Mr. Lever; he said so to me.

2363. Just tell me, previously to that, had you had any proposal made to you by anyone, with reference to the election?—I think, as well as my memory can bring it to me, that it was on the day before the election, that I heard—

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2364. Never mind what you heard, had you seen anyone?—It is right I should tell you how the conversation occurred; the high sheriff said to me that he would require a small number of electors, who would not be parties—

2365. Had you some conversation with the high sheriff?—I had.

2366. By the Committee.] Was that the day before the election?—No, this was about four or five days before the election.

2367. In consequence of that, did you call upon any person?—I did, the high sheriff told me—

2368. Never mind what the high sheriff told you; you got some information from the high sheriff?—Yes.

2369. In consequence of that, did you call upon him?—I called upon Mr. Sam Reddington to ask why it was—

2370. By the Committee.] Answer the question?—I am stating the circumstances as well as I can; Mr. Reddington is in court.

2371. Mr. Montagu Chambers.] Had you any conversation with him, with reference to the coming election?—I had; I asked Mr. Reddington why it was that he objected to the name of a supporter of the candidate for whom he was concerned, as deputy to the sheriff during the poll; I asked him why he objected to my name being a deputy sheriff, knowing, as he must have known, that I was to support the candidate for whom he was concerned.

64

2372. What

Mr.
John Hart.

Mr. John Hart. 2372. What answer was given to you?—Mr. Reddington first said that he did not do so, and that he did not object.

9 May 1895. 2373. By the Committee.] Did you vote at the election?—I did.

2374. When did you vote for?—For Sir Rowland Blennerhassett, and for Mr. John Lever.

2375. Mr. *Montagu Chambers*.] Mr. Reddington replied, that he had not objected to your being appointed?—He said so at first, but on my telling him that the high sheriff told me so, he assented.

2376. Was anything said about your being appointed to any other office?—Yes, Mr. Reddington said —

2377. Was his father present at this meeting?—It is right I should say, that, immediately afterwards, I met the father coming into the office; this was at Mr. Reddington's office, and I met the father, and we both mentioned it to Mr. Reddington again, and Mr. Reddington the older said, that it might be managed in a better manner, and that I might get a better position, that I might get a position that would answer better, and that would be better for me.

2378. By the Committee.] Mr. Reddington senior said this?—Yes.

2379. Mr. *Montagu Chambers*.] In the presence of the son?—Yes.

2380. Was it mentioned what that office was?—It was.

2381. What was it?—He said that the office would be that of booth inspector.

2382. Did you make any inquiry?—I just asked if that office was such an one as an elector could hold legally.

2383. What answer did he make to that?—Both gentlemen said it was.

2384. What occurred then?—I then said that I was obliged to them, and that I would accept it.

2385. Was anything said about their appointing you, and upon what terms you were to be appointed?—Yes.

A discussion ensued (with reference to the admissibility of evidence which was given, but afterwards ordered to be struck out) during which Mr. Coffey admitted that Mr.

Reddington was the agent of Sir Rowland Blennerhassett.

2386. Was anything said about Sir Rowland Blennerhassett?—I don't recollect that there was, except what I said myself.

2387. I believe you were not appointed to this polling booth, were you?—No.

2388. Who did you vote for?—For Sir Rowland Blennerhassett and for Mr. Lever.

2389. Are you acquainted with Mr. Waters, the barrister, who sits at the other end of the table?—Indeed I am not; I have not the honour of knowing him.

2390. Do you know him by sight?—No.

2391. I was going to ask you whether you saw him at the late election?—No, I might have seen him in the public courts.

2392. Did you act at the election for anyone?—No, I simply voted.

[The Witness was not cross-examined, and was directed to withdraw.

Mr. *Ridley* asked if it was understood that the whole of the evidence which had been given on Mr. Lever's petition was to be considered as having been given also upon Mr. Stubbs's petition.

The Chairman stated that the Committee understood that that had been agreed to.

Mr. *Montagu Chambers* stated that he had concluded the case of Mr. Stubbs.

Mr. *Redwell* was heard to open the case of Mr. Morris, and was about to call witnesses, when

Mr. *Serjeant Ballantine* was heard to contend that the case of Sir Rowland Blennerhassett should be proceeded with conjointly with that of Mr. Morris, and therefore that it should be opened before Mr. Redwell called his witnesses.

Mr. *Montagu Chambers* was heard in support of this contention.

Mr. *Redwell* was heard in reply.

The Chairman stated that the Committee would first hear the case of Mr. Morris.

Mr. MICHAEL MORRIS, a Member of the House, was then sworn; and Examined, as follows, by Mr. *Blake*:

Mr. M. Morris.
M.P.

2393. You are at present one of the sitting Members for the borough of Galway?—I am.

2394. Has your family been long connected with that town?—My family has been connected with the town since it was built; for 500 years. I am the representative of one of the 14 families who settled in Galway, and who built the town in the year 1400 (as appears by the History of Galway which I have here), whence it gets the name of "The City of the Tribes."

2395. Was your father a magistrate of that borough?—Yes.

2396. And he filled the office of high sheriff, I believe, in that borough?—Yes.

2397. Soon after you came of age did you yourself fill the office of high sheriff?—I did in the year that I came of age.

2398. Did you fill any other office in that

borough besides the office of high sheriff?—I did.

2399. What was the office you filled?—I was Recorder of Galway.

2400. For how long?—From the year 1857 until I resigned for the purpose of standing for Galway last spring. The Act of Parliament incapacitates a recorder from sitting for the same borough for which he is recorder, and I resigned for the purpose of standing, in the month of March, and I said so at the last sessions that I held. I said it was the last time I should address them in that capacity.

2401. When were you called to the bar, Mr. Morris?—At the end of 1849, the year after I came of age.

2402. I believe you are a Queen's counsel?—I have been since February, 1853.

2403. Had

2403. Had you an uncle named John Blake, who was connected with the politics of that time?—I had; my maternal uncle was a hurrister of that name.

2404. May I ask you, did you ever act as an election agent of that borough?—I never acted as any agent; I acted as the personal friend of Lord Dunkellin (of whom I have the honour to be, as I believe, a very great personal friend), at the last three elections previous to my own, namely, at the elections of 1832, 1857, and 1858, having a good deal of local influence, as it appears.

2405. Prior to the last election, had you intimated publicly that it was your intention to stand for the borough?—I never made an express intimation previous to my resigning the office of Recorder in March 1863; but it was well known that I intended to stand for the borough at the first opportunity.

2406. Was that matter of general knowledge for any considerable time before the last election?—At all events for the last three years it was just as well known as I knew it.

2407. Now, sir, you recollect the Spring Assizes of 1865?—Yes, I do.

2408. You were a hurrister, I believe, on the Connaught circuit, on which Galway is one of the assize towns?—Yes, I go the Connaught circuit, and Galway is the last town on the circuit.

2409. Did you, soon after the Spring Assizes of Galway, canvass the electors of Galway?—After the business of the assize was over, I held my own sessions, and they were the last sessions I intended.

2410. As recorder?—As recorder; and when the business was over, I stated that I had ceased then to be recorder, and I immediately then remained for three weeks in Galway at my brother's place, within a mile of the town, for the purpose of canvassing the electors, knowing that an election would take place in the summer of the year. At the time I thought it would have been in the autumn, and it would have been excessively inconvenient for me to lose my term; I had three weeks to spare before term, and I thought I would take advantage of it.

2411. As a fact, you did canvass shortly after the Spring Assizes?—Immediately after; from the 25th March to the 10th April; I stopped a short mile from the town, and I came into Galway from day to day at 10 o'clock, and canvassed until about six; I used to walk about for an hour, then turn into the club, and then go out for another hour, and so on.

2412. Had you a list of the voters at that time?—I had; these are the original lists that I have in my hand.

2413. Did you continue to canvass from day to day when you began, until you finished it?—Yes; I may say from day to day until it came so close to Easter term that I was obliged to go to Dublin; I had substantially canvassed, I suppose, 800 of the electors; I am personally acquainted with nine out of ten, I believe, of my constituents.

2414. Now, was the result of that canvass favourable to your views?—I received about two refusals, and they were from two unimportant persons; I have no recollection (and I have tried my mind about it) that I received any more refusals.

2415. Did any person accompany you on that

canvass?—Not a single solitary person; I would not allow my brother even to come with me. I had no necessity for anybody, for I knew the constituents better than anyone who could accompany me; and if I had brought anyone with me, other friends of mine would have been jealous; therefore, in order that there should be no jealousy amongst friends of mine (and I thought the whole town were my friends), I would not allow my brother to come; and I made that excuse to people, who said, "I wonder you do not allow me to go with you." I said, "I would not even allow my brother to come, who knows the town equally as well as I do;" he is younger than I am.

2416. Easter Term, I believe, began on 15th April?—Yes; it always begins on the same day, unless it should happen to fall on a Sunday.

2417. Did you return to Dublin shortly before that?—I did.

2418. Was it about the 10th of April?—About that time; it was certainly before the 15th, some two or three days; as you well know, I have a good deal of business.

2419. From the time you went to Dublin, about the 10th of April, when next did you arrive in Galway?—I never was in Galway from that time until the 8th of July, when I went down with the writ; hearing that it had arrived in the Hansard Office, and was to go down with the two o'clock train, I thought it was time for me to go down with it.

2420. Prior to that, had you heard anything of Lord Dunkellin resigning as a representative of Galway?—Lord Dunkellin and Mr. Lever were the two sitting Members; and on the 24th of June, which was that day fortnight, Lord Dunkellin informed me by letter (which I have here, and can produce, if there is any necessity to do so, for there is nothing private in it), that he should resign, because his relative Sir Thomas Buckle, was leaving the county, and he wanted to become Member for the county. I expected that he would have been my colleague, and I received that letter, stating his resignation with very great dismay; it was the first intimation that I had of his not being my colleague; it was on the 25th of June that I received it, with a great deal of dismay, seeing that it would create a contest, as I thought no one would come forward between Lord Dunkellin and me; but when I received that letter, I immediately saw there would be a great contest for the second place, and that a number of people would start up, and that I should be involved in trouble, as unfortunately I have been.

2421. Prior to your going to Galway, did you publish an address to the electors, which is printed in this newspaper (addressing some to *Willesse*)?—Prior to going down, on the 10th of July, I did; I never did issue any address to state what my politics were. On the 1st of July, when I received that letter of Lord Dunkellin's, I saw by the public papers that there were candidates starting from all parts of the world for Galway, seeing that there was an opening for somebody.

2422. Now, he good enough to name the individuals whom you recollect did come forward as candidates at that time?—Mr. Lever went down there again to renew his application to the town, which surprised me, and Mr. Stubber also appeared on the scene; there was also Mr. Osborne, a merchant, I believe, from Cork or Limerick; I

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saw an address from him in the newspapers, and I have no doubt that he came forward; I saw some of them in Galway, when I arrived in July; there was Mr. Hecon, a barrister, Sir Rowland Blennerhassett, and Mr. Boarden, the present Member for Athlone.

2423. By the Committee.] That was six candidates?—Yes, sir. I then thought it right for the first time to issue this (if you can call it so) address, which I will read: "To the Electors and people of Galway: You are aware I seek the honour of being one of your representatives, and as the dissolution of Parliament has been fixed for an earlier day than was anticipated, I desire to inform my fellow electors"—I am an elector myself, although I did not vote at the election—"particularly those whom on former occasions I had not the pleasure of meeting, that within a few days I shall be again at my post. Intimately connected as I am with you by birth, by family; coeval with the first foundation of our town, by property, by personal acquaintance with almost every inhabitant; in fact, by every tie that can unite, it would not, I consider, be fitting for me to issue the merely formal address of ordinary candidates. I shall, therefore, postpone, until we meet in a few days, the full statement of the grounds upon which I confidently anticipate you will think me a proper guardian of your interests, and entitled to be one of your representatives. I remain, fellow townsmen, faithfully yours, Michael Morris." I wrote that from my house, No. 22, Lower Fitz-William-street, Dublin, and I sent it down to the two local papers to be printed.

2424. When did you arrive?—On Friday, the 8th of July, by the two o'clock train.

2425. Now, when you arrived in Galway on the 8th July, were there any persons waiting for you in the square or at the railway station?—I should say that nine out of ten of all the respectable inhabitants of the county and the town of Galway were there.

2426. At the railway station?—Yes; at the terminus; it was known that I was going down. I wrote that I should be down by that train, and there was an enormous crowd of the working classes, and I do not think I am exaggerating in saying that nine out of ten of the respectable gentry and shopkeepers of Galway were there waiting for me.

2427. When you came out from the railway terminus to the public square, did you address any of these people?—When I came out of the terminus where the respectable people were allowed to come in by the railway authorities, and when I got into the square, it was one mass of people; and as there happened to be a large omnibus there, and as they insisted that I should address them, I got upon the top of the omnibus, and I addressed them. I should say that there would be at all events 600 electors out of the 1,000 present, and I suppose that there were 5,000 or 6,000 people. The town contains 25,000 inhabitants, and I am sure that the half of them were there.

2428. You hold in your hand a report of your speech?—Yes.

2429. By the Committee.] It is stated in "Doyle," that the population is 16,000?—That is the population of the municipal borough; the population of the Parliamentary borough is 25,000.

2430. And the electors are stated at 1,182?—

There are 1,182 on the register, and there were about 1,020 of them available voters; the rest were dead, absent or double entries, or persons holding public situations which incapacitated them by Act of Parliament; 1,020 could not have voted, unless there were persons.

2431. Mr. Blake.] You have a local paper there, containing a report of your speech?—Yes; I have a paper with a report of my speech, but it does not report all that I have said; it reports a good deal of what I said.

2432. Is it a substantial report of what you said?—Yes; I said a good deal more; but I can quite imagine that the reporter could not take it all down very well.

2433. There are two or three passages there, marked, will you read them?—Mr. Rodwell has read them once, but I will read them again: I said, "People of Galway, I have come to ask you, as your townsmen, as a man belonging to you, by father and mother, for your support (loud cheers). I have lived amongst you a good many of my days, and I must die amongst you (loud cheers). People of Galway, idle rumours, slanderous rumours, may possibly have been disseminated about me, because who is free from slander? But this I tell you, and I believe I assert it upon the word of a man, at all events, of whom no one ever yet said that he carried two faces under a hood (cheers), although he may have spoken a little too openly what he thought; that I repudiate any connection, directly or indirectly, with any other candidate (loud cheers). I have come to seek at your hands to be one of your Members into Parliament (cheers). Select amongst yourselves, the person whom you choose to think the best to send to Parliament with me: because I am vain enough to think that I feel a sense of security in the position that I have occupied in your town for years. I am no stranger. (No, no, and loud cheers.) I was able to canvass the town of Galway substantially by myself. I required nobody to show me the way in the streets of Galway; every paying-stone in it I am familiar with (loud cheers). With every inhabitant—in the great crowd I see around me, with 99 out of every hundred, I have been on terms of familiar acquaintance."

2434. Now, stop there for a moment; does that truly represent the mode in which you did act in relation to that election?—Most emphatically and decidedly. I stated what is not there; and, perhaps, it very properly was not reported, because I was speaking disparagingly of the other candidates. I said that it was with a sense of humiliation that I came to Galway and found myself involved in a controversy with a parcel of strolling candidates, not one of whom would be able to find his way from the Square of Galway to the Court House without asking some one to show him the way, and whose only connection, by property and otherwise, with the town of Galway consisted in their portmanteaus. That was very properly, as I need not tell you, omitted from the report. I spoke rather badly, being annoyed at finding myself in a contest with six or seven gentlemen, the existence of half of whom I had never heard of before, and who had no earthly claim on the people of Galway, any more than I should have if I were to stand for the City of London.

2435. Is there any truth in the statement that you introduced Sir Rowland Blennerhassett to

Mr.

Mr. Morris?—I did not know of the physical existence of Sir Rowland Blennerhassett.

2436. Now come to the second passage in the report of your speech?—"People of Galway, I come forward on no sectarian ground. Everyone that knows me knows that I was born, reared, and that I believe from conviction, in the religion of my forefathers; but, at the same time, every act of my life has been a protest against bigotry from any quarter; and I am glad to say that to citizens of Galway of all classes, for I seek not to be the representative of a class, but the representative of the people of Galway of all classes. I would not take a return to-morrow if it were done in a pocket way, or by any influence except the legitimate means of the influence of the people. I am supported by persons of all classes and of all creeds. As I said before, I am firmly convinced, and an asserter, of the religious equality of the religion which I profess. While I will seek for equality, I would be the first to protest against ascendancy, for I have lived all my life amongst people of different religions; and if in Ireland they would pull together, she would not be in the state in which she is."

2437. Is it the fact, that you were supported by the general constituency?—Yes; I am a Roman Catholic, and I am married to a Protestant; all the Roman Catholic clergy with the exception of the Rev. Mr. Daley, voted for me.

2438. How many of them are there?—Twelve or 13; the five Established Church clergymen voted for me; the Independent clergymen plumped for me, and the Presbyterian clergymen and some of the Established Church of England clergymen plumped for me.

2439. Were you aware, Mr. Morris, that reports were circulated that you were coalescing with, or assisting any of the candidates?—I was aware that some persons acting for them were suggesting, first that this, and then that that one had come down with some approval from me; I was very much annoyed at it, and therefore I wanted to disown from the beginning having the slightest choice, and I stated that I considered all of them equally ineligible.

2440. Now, Mr. Morris, look at that bill (bearing the same to the *Witness*); did you cause corresponding placards to that to be posted in Galway?—I arrived on the Friday; on the Sunday I heard that persons were suggesting that I was associated with one or other of the candidates. I heard that Mr. Lever's, Sir Rowland Blennerhassett's, and Mr. Heron's friends were suggesting that I wished them to be returned with me; I accordingly issued the placard, of which this is substantially a copy, at a later period of the week, in which I again stated that I found it necessary again to reiterate what I had said before, that I had no connection, directly or indirectly, with any of them in the slightest degree.

The following is a copy of the placard in question:—

"To the Electors and People of Galway.

"Fellow townsmen, accept my best thanks for the overwhelming expression of your feeling which you gave this day. I accept it with grateful pride on the verdict which my fellow townsmen have determined to give in my favour. I knew my fellow electors, of all classes, would sustain me, but especially that the freemen would rally round the nephew of the man who achieved their free-

dom. I now call upon you to join together in placing me in the proud position of the head of the poll. I again reiterate, in the most emphatic manner, that I will not join or coalesce directly or indirectly, with any candidate, and I trust no man in Galway doubts the word of

"MICHAEL MORRIS.

"Galway, Thursday evening."

2441. Do I understand you to say that you had a placard similar to that, posted on the Sunday?—I had another placard posted, of which I have not been able to get a copy; this refers to a former placard; I posted that on the Sunday. Again on Thursday, the nomination day, finding it was said (and, as you have heard, one of the witnesses was led to believe) that I had broken my promise of keeping aloof, the day after the nomination I issued this placard.

2442. There is an allusion there, I believe, to your uncle, Mr. Blake?—There is. I said in that, that I hoped the freemen of Galway would rally round me as the nephew of the man who had achieved their freedom, and I called upon them to act as one man. I received the support of 95 per cent. of the freeholders, 91 per cent. of the rated occupiers, and over 80 per cent. of the freemen.

2443. The constituency consists of three classes, freeholders, occupiers, and freemen?—Yes.

2444. Did you canvass again after your return on the 27th of July?—No; I was informed that there were two or three persons who were annoyed with me for having passed them over before. In canvassing a large town of 1,200 electors, of course I must have passed over a few, and I went to three or four persons, who, as I was informed, were annoyed because I had passed them over.

2445. You have heard the statements which have been made here about Pearce and the man Duggan?—Yes.

2446. Can you tell us the circumstances with reference to them; I suppose you recollect them?—Quite distinctly.

2447. Will you be good enough to state the facts to the Committee?—There were three persons mentioned to me as persons whom I had not canvassed; a man named Malloy, a gentleman named Spellman, and this very man named Pat Smith; it should be Pat Smith, but it has been written Mat Smith. I think it was my brother who told me that Malloy and Spellman were very much annoyed because I had not canvassed them, and that it looked as if I did not think it worth while asking them for their vote. Accordingly I went to see them; I was going down Abbey-street, at the corner of which Pearce lives; Smith lives in Abbey-street, and Pearce told me, "Mr. Morris, Smith down there complains very much that you have not canvassed him."

2448. Mr. Serjeant Ballentine.] Who said that to you?—John Pearce, whose name has been mentioned; that was the first time I spoke to him. He came to me, and said, "Smith says you have not canvassed him."

2449. Mr. Blake.] Does Pearce live within a few doors of Smith?—Yes; he lives at the corner of the same street, within 20 yards.

2450. He said that you had not canvassed Smith?—Yes, and that Smith had complained of it.

2451. Did you go to see Smith?—I did; I turned out of my way, because I was going on to Malloy's,

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Malloy's, but I turned out of my way to go to Smith's. He was not in, and I saw Mrs. Smith, who expressed her full approval, and said that it was almost unnecessary for me to call; that she had known my mother and family.

2452. Was Duggan there at that time?—A man was there that I did not know; he was one of the few whose appearance I did not know.

2453. He turned out to be Duggan?—Yes, I recognised him yesterday.

2454. Had you any communication with him?—Mrs. Smith said to me, "There is a man there; you do not ask him for his vote either." Well, I turned round and said, "Will you vote for me?" I understood from him, at least this is the impression that was on my mind, that he said he would; but really, at the time, knowing that I had about 900 out of the 1,000 in my favour, I did not much mind whether he said he would or not; and I merely went to Smith, Malloy, and Spellman, because they were old friends, and because I did not wish to have any personal friend of mine offended with me. I would not have pressed Duggan to vote for me, if I had understood that he would not, for I did not care about his vote.

2455. Now, as regards Pearce, with the exception of that transaction, did Pearce ever act for you, or accompany you upon any canvass?—Never; I have had no more to say, on my solemn oath, to Pearce, than I have had to any person in this room, or than I ever had, except to ask him for his vote, as I had asked every other man in Galway.

2456. Had you any committee, Mr. Morris?—I had no committee, and no agents; I went to Galway, thinking I would just look on at the almost amusing battle, as I thought, between this party of strange candidates, as everybody was voting for me.

2457. You had no committee?—No, I had no committee, and no committee-rooms, and no agents, except those agents which the Act of Parliament obliged me to have, namely, five inspectors in each booth.

2458. Do you know the names of those inspectors?—Certainly; I had known them, for I paid them, besides I knew them well before, and directed their employment.

2459. Now, Mr. Morris, you have answered generally, but I may take it from you with a little more point. You have heard the names mentioned of a great number of persons, Fahy, Brady, Hughes, and Kirwan; were any of those persons agents of yours?—Neither directly or indirectly, nor anyone else; I would not have an agent; the occasion did not require me to have an agent, and I wanted not to spend my money; what was the use of having an agent, when everybody was voting for me?

2460. There are, I believe, a good many land-owners and proprietors within a circle of four miles round the town?—There is a rural district on one side for five Irish miles, which is about six English miles, and on the other side for four Irish miles, which is equal to about five English miles, and that is a rural district of nine miles.

2461. Is it a fact, that all these rural proprietors pledged themselves to support you?—I believe I was supported unanimously by the owner of every square perch of property near the county town of Galway.

2462. By the Committee.] Is that a nine miles'

radius?—No; it is from one extreme end to the other.

2463. Then it would be the diameter?—No, you can scarcely call it the diameter, for it is not a circle, because the Bay of Galway intersects it on one side; it is a semicircle.

2464. Mr. Blake.] I think you said that the gross number on the poll was 1,193?—I did.

2465. And that there were about 1,010 who could positively vote?—Yes.

2466. May I ask you how many actually did vote?—Nine hundred and ninety-five.

2467. Of these how many were freeholders?—Eighty-one.

2468. Of the rated occupiers, how many?—Four hundred and fifty.

2469. Of the freemen, how many?—Four hundred and sixty-five.

2470. Of the freeholders, how many voted for you?—Seventy-seven out of the 81.

2471. Of the rated occupiers, how many voted for you?—Four hundred and ten out of 450.

2472. Out of the freemen, how many voted for you?—Three hundred and ninety-seven out of 398, I think; that is the reason I said that there were 95 per cent. out of the freeholders, 91 per cent. of the rated occupiers, and 85 per cent. of the freemen who voted for me, and that being the case, I stated that I was the representative of all classes.

2473. Now, Mr. Morris, out of these persons who voted for you, I think you stated that you had canvassed in the March previously about 800 or 900 of them?—I think so.

2474. And 885 voted for you, I believe?—They did; and of the 110 who did not, I gave leave to several to vote against me, and I will state their names; they asked me to let them do so, having promised me before; they said they were pressed to vote for Mr. Lever on one side, and for Sir Rowland Blennerhassett on the other; they said, "You will have a majority of 500 or 600, and a vote more or less is no object to you, and I would like to please the friends of these parties." Mr. Clayton, a very old and respectable shopkeeper in Galway, called on me, and made that case out to me, and I said, "Certainly, go up and vote," and he went up and voted for Mr. Lever and Sir Rowland Blennerhassett, and there was a man named Tarpey did the same thing. Mr. Clayton is a very old and respectable shopkeeper; he said, "If you wanted a vote, I would vote for you, but I am pressed by friends to vote for Mr. Lever and Sir Rowland Blennerhassett; you will be 500 or 600 ahead." I said "I shall be that at least, but do not mention it, because a number of others might come and make out the same case to me, and then I might not be so many at the top;" that is, I meant that others might come and make out the same case, to ask me to let them off from voting for me; I remember that I gave permission in that way to three, and I have no doubt that I did to more.

2475. On the day of the nomination, Mr. Morris, you were, I suppose, in the Court House?—I was, certainly.

2476. May I ask you, who were your proposer and seconder?—I was proposed by Mr. Pearce Joyce, deputy lieutenant.

2477. Who seconded you?—I was seconded by Mr. Pearce.

2478. What is his Christian name?—Thomas Pearce; he is the leading man of the town, and is chairman of the town commissioners, which is the

the municipal body of the town; the one of them is a Roman Catholic, and the other a Protestant; Mr. Joyce was a supporter of Sir Rowland Blennerhassett and of mine, and Perseus was a supporter of Mr. Lever and of mine; at the same time neither would Mr. Joyce have voted for Sir Rowland Blennerhassett if it had interfered with me, nor would Mr. Perseus have voted for Mr. Lever if it had interfered with me; I said to everybody, "Exercise your second franchise as you like."

2473. Who proposed Mr. Lever?—Mr. Daley, the priest.

2480. Who seconded him?—Mr. Henry Perseus, the present high sheriff, and the nephew of my second.

2481. He seconded Mr. Lever?—He did.

2482. Did that gentleman vote for him?—Certainly; and he would have voted for me; I believe he is here; he would have voted for me in preference to the gentleman he seconded.

2483. Who else did he vote for?—He voted for Mr. Lever, when he seconded, and for me.

2484. By the *Crossfitter*. Did Father Peter Daley vote for you?—No, certainly not; any annoyance that I have got in this petition, I attribute to him.

2485. Who proposed Sir Rowland Blennerhassett?—Sir Rowland Blennerhassett was proposed by Captain Blake Foster, a gentleman of a good deal of property, and he was seconded by Mr. Murray, a leading merchant.

2486. Did both those gentlemen vote for you?—Both those gentlemen refused to propose or second Sir Rowland Blennerhassett, except on the express terms that they were to plump for me if I asked them, and they are here to say so.

2487. And who proposed Mr. Stubber?—Mr. Deane, of the Railway Hotel, and Mr. Power.

2488. Is that Mr. Power the pawnbroker?—Yes.

2489. Who did they vote for?—Mr. Stubber, when they proposed and seconded, and both of them voted for me with him, and would have plumped for me if I had asked them; I have Mr. Power outside to say so.

2490. Then, in fact, seven of the proposers and seconders voted for you?—Seven of the proposers and seconders voted for me, and I believe that the whole of the seven would have plumped for me, if I had asked them; but I preserved strict neutrality, and told them to vote for anyone they liked for their second Member, because I did not take the slightest interest in it.

2491. I need not ask you in one sense (because you and I may know), but I must distinguish the two gentlemen named Perseus, the proposer and seconder, from Mr. Pearce; had they any relationship or connection with the Mr. Pearce that we have been speaking of?—No, Mr. Pearce is a man of humble origin, he is a publican; and Mr. Perseus, who proposed me, is a gentleman of the first respectability, and was a friend of Mr. Lever's; they were very anxious for Mr. Lever after me, and other friends of mine were anxious for Sir Rowland Blennerhassett after me; accordingly that made me most particular not to offend any of my friends, and taking not the slightest personal interest in the matter for people I never saw before, I was perfectly neutral.

2492. Now, Mr. Morris, you heard some observations here, about your being seen in Mr. Harrison's shop?—I do not think I ever go to

Galway without going into Mr. Harrison's shop; he is my tailor, and he made the pair of trousers I have on.

2493. He is, I believe, the principal cloth merchant and tailor in the town?—He is the principal woollen draper, and has in addition, the principal tailoring establishment, and whenever I am in the town, I generally get some clothes from him, and have done so all my life; I do not doubt that I was in his shop, I do not suppose I was ever in Galway two days, that I was not in his shop; his shop is in the square, and I dare say I went into it at the time spoken of; I have no recollection that I got any clothes at that time, but I am always getting clothes when I go there.

2494. Now, take this document into your hand, Mr. Morris, and tell me, with regard to the expenses of the election, is that a list of the expenses?—Yes; you want to know about the election expenses; by Act of Parliament, each candidate is obliged to appoint an agent for his election expenses; the Act is the 26 Vict. c. 29, and it received the Royal Assent on the 8th of June 1863.

A document, of which the following is a copy, was then handed in:—

COUNTY OF GALWAY ELECTION, July 1865, &c.

Amount of all sums of money paid on account of Michael Morris, Esq., M.P., by Robert Burke, his agent, for election expenses at the above election, being the account of the expenses of said election, rendered to James H. Ryan, Esq., High Sheriff for the county of the town of Galway.

Paid Francis O'Hara, Esq., Sub-sheriff, expenses of	£	s.	d.
five booths, per receipt	5	0	0
Paid J. W. Baker, Esq., for use of rooms	5	0	0
Paid cost of yard and tallies	5	0	0
Paid "Galway Express" newspaper for printing address, advertisement, &c., &c.	5	0	0
Paid waiting and tally-room clerks	17	0	0
Paid for candidates and cars for conveyance of voters to and from the poll	17	0	0
Paid for cars for conveyance of voters to the poll	5	0	0
Paid five booth agents	5	10	0
Paid five prominent agents, one on each booth	5	0	0
Paid Thomas Flanagan, Esq., for poll booths, &c.	9	18	10
Paid Crobin's bill for stationery	1	1	0
Paid Black for use of rooms on hotel	1	0	0
Paid 10 tally-room and poll clerks	6	18	0
Paid postage, envelopes, &c., by R. Burke	9	10	0
Paid Hugh Blomson for posting election address left, and placards	8	0	0
Paid Joseph Kelly for printing boards for booths and tally-rooms	1	10	0
	£	158	8

This is a copy of the account handed by me this day to Francis O'Hara, Esq., Sub-sheriff, in his office, dated Galway, 18th September 1865.—Robert Burke.

2495. Then, Mr. Morris, you appointed an election agent?—Yes, you are under a heavy penalty if you do not appoint one; you must appoint an election agent, and I appointed Mr. Robert Burke as my election agent, under that Act, to pay any bills that I might have to pay.

2496. Is that a gentleman of large proportions?—Yes, he is a gentleman of very large proportions; he is a good deal larger than I am, and some consider me a big man.

2497. You heard a man named Needham describe Mr. Burke, who was paying the money?—Yes, he was saying that 1884, and Needham is quite right when he says that he saw the money in a bag, for, having to pay very small sums, he borrowed a bag of my brother, who is a large land agent, for holding the silver, and he did pay it out of a bag.

2498. Mr. Sergeant Ballantine.] Were you present?

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Mr.
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present?—I was not present at the time that the payment was made, but I saw the bag.

2499. Mr. Blake.] As a matter of fact, you appointed Mr. Burke, and that Mr. Burke answers to the description that Needham has given of the person who was paying the money?—Yes.

2500. Now, Mr. Morris, did you give anything to Mr. Burke for the purposes of the election?—I did give him a cheque on the Provincial Bank, where I kept my account, for 300 l., which I estimated would be something over my expenditure; but I thought it better to give him a cheque a little above than a little below.

2501. Beyond that sum of 300 l., did you give any other money whatsoever for the purposes of that election?—Not one single, solitary shilling, no do I ever intend to do so.

2502. After the election was over did Mr. Burke account to you for the expenditure of the money?—He returned me 111 l. 12 s., and it is right that I should explain why that 111 l. 12 s., or why so much as that came to be returned to me; my conducting agent, Mr. Higgins, is entitled, under the Act of Parliament, to a fee of 100 l.

2503. Irish?—Irish. I had no idea that he would not accept his fee, although he is a very great personal friend of mine, but it appears that when Mr. Burke went to pay him he refused to take any fee at all, notwithstanding that I wished he should, and accordingly that made the difference, and accounts for the 111 l. 12 s. being returned to me; otherwise I should have had returned only 17 l. or 18 l. My expenditure legitimately ought to have been 270 l. if Mr. Higgins had taken his fee as my conducting agent. That is his fee under the statute, and I gave a sum of 300 l. estimating for his fee.

2504. You answered me that you have not paid one single shilling beyond that?—No, I believe not.

2505. Have you promised to pay any?—Certainly not.

2506. Take that book in your hand (*Handing some to W. H. Jones*), and look at it; it is the report of the Galway inquiry in 1857, and your evidence on that occasion is given there; will you be good enough to turn to that part of it that was referred to by my friends?—They are the same parts that are referred to in the "Press" newspaper.

2507. Yes?—Yes, I have it.

2508. I do not want you to read the whole of that; but you have heard the suggestions that were made in consequence of your experience in relation to elections at Galway. It was suggested that you went down, knowing what was requisite to be done in the way of bribery, and prepared to carry out a system of bribery; is that true?—It is not.

2509. It is not true that you went there prepared to carry out bribery?—I swear I would not be guilty of a crime and an absurdity; I hope I would not be guilty of a crime, and those who know me do not think me to be a fool; if I had done so I would be guilty of both.

2510. You have heard a great deal of sums of 5 l.; was any money whatsoever paid, or any of those payments made, with your knowledge, privacy, assent, or permission whatsoever?—Not one single, solitary shilling. As far as any one can swear to a thing, merely from moral conviction, I believe that not one single shilling was

ever spent on my account; for the only thing I did, the whole of the four days I was in Galway, was to beseech everyone, even if they were asked for a glass of water only, not to presume to give it; for I should consider everyone an undying enemy (and, I believe, that was the very expression I used) that gave anything at all. I said, everybody was voting for me, and they were not to involve me in petitions and annoyances; and if any one did do so, they must have done it from some sinister motive; but I do not believe it was done. I am as certain as I am sitting in this chair, that it was not done; but, of course, I cannot prove a negative. I saw enough to make me (if I was guarded before) wish to have a wall of bricks around myself, to be disconnected from anyone else; but I was not successful.

2511. You have heard the names of a number of persons mentioned,—Kiwan, Hughes, Brady, Pearce, Harrison, and others; have you seen these persons all in attendance here?—They are all in the lobby; I have seen Brady, Pearce, Hughes, Harrison, and Kiwan in the lobby since Saturday.

2512. And Curran?—Yes.

2513. And Robert Power?—Yes.

2514. May I ask you whether any of those witnesses were summoned on your behalf, that I have enumerated?—None, I believe; and, indeed I may say that I am certain they have not been summoned for me; they have been summoned by Mr. Lever and by Mr. Power, or by both of them.

Cross-examined by Mr. Sergeant Ballantine.

2515. You have used the expression "strolling candidates"?—I did.

2516. Mr. Lever, I think, has represented Galway on two former occasions, has he not?—He was returned to Parliament about the month of January or February—

2517. Am I putting a question that you cannot answer?—You are putting a question that I could not give you a direct answer to, because he was returned just before the break-up of the Parliament of 1859, and, therefore, he sat for about two or three months.

2518. He was in fact returned twice, was he not?—Yes; once was a single election.

2519. It is a matter of luck, having only a short time to sit, I believe?—I thought you meant to say that he was a sitting Member for some time; he was returned just before the break up of a Parliament, when there was a vacancy arose, and he got in.

2520. He was returned?—He was.

2521. You would hardly say that there was anything unfair in his coming forward?—Yes, distinctly, I thought there was; I thought he had the least right of any of them, if they entered into inquiry; I declare I did in the abstract.

2522. He had been returned by 743 voters, had he not?—He was returned in 1859 by 746, I think, and I voted for him myself.

2523. Then he might reasonably hope that some of them, at all events, would vote for him again?—It would have been testing credulity greatly if he did.

2524. Knowing the constituency, you think it would have tested credulity, do you?—Yes, to believe that any one would have voted for him after the transactions that took place between

between the time that he was returned, and the late election.

2525. You mean —?—I mean the Atlantic Company business, which everybody knows about.

2526. Everybody has read of it?—Yes, and I and the people of Galway have suffered by it.

2527. Sir Rowland Blennerhassett is another "strolling candidate"?—Certainly it was not an expression that I ought to have used, but I did use it.

2528. You intended the expression to apply to him?—Oh, most distinctly; I intended it to apply to the entire number of candidates, because I felt annoyed at being raised up in a contest when I looked forward, from the month of March, to getting in quietly.

2529. Some of the constituents, according to the view that you took, in 1837 were open to money considerations?—They were.

2530. There being a good many candidates, at all events, inconvenienced you, whatever your certainty might be?—Not in the slightest degree; it might diminish my majority, but I had enough of freeholders and rated occupiers to return me without the vote of a freeman at all, and I could have depended on the votes of 200 freemen as implicitly as I could depend on my own vote, from personal regard and association.

2531. Have you been in communication with Sir Rowland Blennerhassett?—That is an ambiguous phrase; I repeatedly spoke to him.

2532. Did you meet with him and converse with him?—Repeatedly.

2533. Were you in the same room with him?—Repeatedly.

2534. Had you any communication with him in relation to carrying on the election?—I do not think I had any of any consequence. He stopped at the club in Galway of which I am a member, and, of course, I met him at dinner there; and I dare say there may have been some chaffing after dinner, and persons asking him how he was getting on, and all that.

2535. Had you, or not, any verbal communication with Sir Rowland Blennerhassett concerning the election?—I may have asked him how he was getting on, but I had no communication of any sort as regards my giving him my support, or assisting him directly or indirectly.

2536. Did you ask him how he was getting on?—I have no recollection of it, but I might have done so.

2537. Am I to understand that you have no recollection, aye or no, whether you had any verbal communication with Sir Rowland Blennerhassett about the election?—I mean distinctly that I repeatedly met him, and, of course, we spoke to each other; but whether I alluded at all to the election, I could not undertake to swear, but I think it is very possible that I did.

2538. Have you any doubt about it?—Certainly.

2539. You have a doubt whether you and Sir Rowland Blennerhassett ever talked about the election?—That we ever talked beyond this: that I may have said, "How is it getting on?" or something of that sort; or, "How is it doing?"

2540. Have you any doubt about that?—
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When I say I have no doubt, I think it very likely, but I do not remember it.

2541. You cannot positively say yes or no?—Certainly.

2542. Whether you had any conversation with Sir Rowland Blennerhassett about the election or not?—Certainly; I may have had some casual conversation, and I may have had the same with Mr. Lever, and I may have had the same with Mr. Stubber, and I believe I had.

2543. Did he not ask you, then, to support him?—Never, in Galway.

2544. Never, in Galway; did he anywhere else?—I will tell you what he did.

2545. Did he ask you to support him?—He brought me a letter—

2546. I really must ask the Committee to request you to give me a more direct answer?

—I can give you that fully; I will tell you what he did, and you can draw your own inference. He brought me a letter from Mr. Lynch, a large landed proprietor; Sir Rowland Blennerhassett conveyed it to me with his own hand, asking me if I would have any objection to Mr. Lynch's voting for Sir Rowland Blennerhassett.

2547. That is to say for himself?—That was in the letter; I am giving it to you as it was in the letter: it said, "If I was perfectly safe."

2548. When was that?—That was in the streets in Dublin.

2549. When?—I should say sometime about the first week in July.

2550. This interview took place then?—Yes; it was the first time I ever saw Sir Rowland Blennerhassett; he was introduced to me by Mr. O'Hagan.

2551. I understood you (but I dare say I may be wrong) to say that you did not know his person when you came down to Galway on the 8th of July?—I did not know his person, nor of his existence until he was introduced to me in Stephens' Green, in the street, by Mr. O'Hagan, a barrister, as Sir Rowland Blennerhassett, who had been calling at my house in Fitz-William-street, with this letter, and wanting to see me; I believe he did not know me.

2552. You saw him then?—In the street, certainly.

2553. What passed between you?—What I am telling you now; he drew this letter out of his pocket, and he said that he had called at my house.

2554. Did he ask you to support him?—No, certainly not.

2555. Did he ask you whether your influence would be used the other way?—No; I told him I would look to no one but myself, that he was a perfect stranger to me, and he could not expect that I should take any interest in him.

2556. Were you not in communication with him at all during the election?—None, beyond the ordinary and casual manner in which I met him, or Mr. Lever, or Mr. Stubber, or any other gentleman, that I saw during the election.

2557. Were you on friendly terms with him?—Of course.

2558. I do not know that it is "of course," after calling him a "strolling candidate;" it might make him angry, but notwithstanding that, you were on friendly terms?—I was.

2559. Had he a committee-room?—I never saw it, and I do not like to say what I believe; I never was in his committee-room and I never

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had anything to say to him about his room; I did not go down where his committee-room was from the time I went to Galway till the time I left.

2560. Were you ever in a room with him?—No, excepting at the club house; I dined repeatedly in the club room, with 30 other gentlemen.

2561. Excepting in the club house, you were never with him?—Never that I recollect; when you say with a man, I was with him when I met him in the street; I was with him *pro hoc vice*, but I take it that you mean, was I with him at some sort of meeting.

2562. That is all that I mean?—Never, that I remember.

2563. You never met him to have any communication, or to make any arrangement with him?—No, certainly never to make any arrangement.

2564. I understand you to swear that positively?—I swear that I made no arrangement of any kind with him connected with this election, nor do I believe with anything, for I had nothing else to arrange with him, no arrangement; I said "communication" was an ambiguous word.

2565. No conversation took place between him and you on the subject of money?—Most distinctly not.

2566. Or on the subject of expense?—None that I am aware of.

2567. Did you know he was bribing?—When you say did I know it, I did not know it.

2568. Did you believe it?—I believe that Sir Rowland Blennerhassett most certainly, himself, was not bribing, and I know nothing of any bribing on his behalf.

2569. Do you know Mr. Kirwan?—To be sure I do; you may take it as a general rule that I know every man in Galway, whose name you could mention.

2570. You know Kirwan?—To be sure, I know every man; I know every witness who was produced here yesterday, and that you have examined on the matter; I think I know 19 out of 20.

2571. Do you know the relations of Kirwan with Sir Rowland Blennerhassett?—Not distinctly, I do not.

2572. He keeps a pawnbroker's shop?—He does; all I did during the four days was to keep in my lodgings, I used to stop there; they were the lodgings which I occupied for the assizes; the assizes were coming on the week afterwards, and these were my regular lodgings, and the woman charged for a fortnight instead of a week; I kept as close as possible; the assizes came on the day after I was declared Member.

2573. You always find that they charge in that manner on circuit, do you not?—To be sure; it was four guineas that I had to pay instead of two; I kept in the lodgings as much as I could; I would not go out in the street, and I would not go down to the committee rooms or to the Court House, where anything was going on; I thought I had not only taken moral precautions, but actually physical precautions against being mixed up in any transactions; I was under the impression, and am still so, that I succeeded, and yet I am as much involved as if I had not.

2574. I will just ask you, in conclusion, Mr. Merriu, this question: I will take it that you pledge your oath solemnly that as far as you are aware, if there were cases of bribery committed in that election, you were no party to

them, and had no knowledge of them whatever?—I pledge myself upon my oath that there is not a Member amongst the 658 Members of the House of Commons that is freer than I am from bribery.

2575. I must object to that answer, upon the ground of vagueness?—Very well, then; I know nothing, and never had anything to say or do with respect to bribery.

2576. Just answer my question, for I am not wishing to put it too strongly?—I answer no, then; I do not object to the way in which you have cross-examined, but I do to your speech.

2577. I am to understand you to pledge your solemn oath that you have not been a party to any bribery, and that you have not had any knowledge of bribery, if any was committed during that election?—I swear that, most emphatically.

Cross-examined by Mr. Montagu Chambers.

2578. Did you employ any agents?—None, except Mr. Higgins, as my conducting agent, and, by my consent, he employed, as he should, agents for the booths, who were paid as stated here in my bill; I employed no other, directly or indirectly.

2579. First, then, I get from you that Higgins was your conducting agent?—Yes.

2580. What is he?—A solicitor or attorney.

2581. What do you mean by the word "conducting agent"?—I mean what the Act of Parliament means.

2582. You employed him to conduct the election for you?—Under the Act of Parliament.

2583. I do not want Acts of Parliament?—You asked me what it means, and I say that the Act of Parliament describes that the candidate shall have a conducting agent, to whom he is to pay a sum of 96 *l.* and 2 *d.*; Mr. Higgins was employed by me as that conducting agent, and he did not take his fee, as I have told you, unlike most other professional men.

2584. When did you first employ Mr. Higgins?—I wrote to Mr. Higgins; he is a very old personal friend of mine, and he always knew that when I should stand for Galway that he would be my conducting agent, or, at least, I think he did. I wrote to him from Dublin, about the 4th or 5th of July, to meet me in Galway on that Friday, the 8th of July; I went to Galway on Friday, and I returned on the following Thursday.

2585. I have not got at it yet; I asked you when you first employed him as your conducting agent?—I wrote to him from Dublin two or three days before I went to Galway, to meet me in Galway to conduct my election.

2586. Was that in the early part of July?—Yes, it was two or three days before the 8th.

2587. Had he acted for you before that?—No, certainly not; he lives at Team, a distance of 20 miles from Galway, and he went to Galway the day I mention to meet me by appointment.

2588. You never went into any committee-room of Sir Rowland Blennerhassett's?—Never, nor into any room.

2589. You say that you have seen certain persons here since you were in London?—Yes.

2590. Were they brought here as your witnesses?—I have sworn already that they were not brought

brought here by me, but that they were brought by Mr. Lever, or by Mr. Stubber, or by both.

2591. Where did you see these persons, Higgins, Harrison, Kirwan, Curran, and Power?—I see them every moment I go in and out that door.

2592. You know them well?—I see them about 20 times during the day.

2593. You have seen them nowhere else?—I have.

2594. Where?—Pearce and Kirwan, and Lane, one or other, called at my lodgings the day they arrived in London, and I saw them here, and I refused to hold any conversation with them, as I have done with all these sort of people; I do not think a man's life is safe, much less his character, sometimes, if he speaks at all.

Mr. THOMAS HIGGINS was called in; and, having been sworn, was Examined by Mr. Redwell, as follows:

2597. I BELIEVE you are an Attorney living at Team, in the county of Galway?—I am.

2598. Were you concerned with Mr. Morris at the late Galway election as conducting agent?—I was.

2599. That is, I believe, an office under an Act of Parliament for regulating Irish elections?—It is.

2600. Were the payments made with respect to that election under your cognizance?—Yes.

2601. Do you know a person of the name of Needham, a voter?—I have seen him here.

2602. Did you see him paid?—I saw him paid.

2603. Is it true that he was paid out of money in a bag, by Mr. Burke?—Yes, Mr. Burke, who was our agent for election expenses, attended at the hotel on a day appointed for that purpose, and I directed that all persons having claims on Mr. Morris should attend there on that particular day.

2604. And it is true?—Mr. Burke attended with the money, and the money was in a bag, in silver and gold, and perhaps there were some notes; that was necessary, because there were small payments to be made now and then.

2605. I believe that that £12. that was paid to Needham by Mr. Burke appears as one of the items in the bill for election expenses?—That sum of a pound was paid to that man for his services as personation agent in one of the booths, and I have got here the poll book connected with the polling booth number 4, and in that book, written by myself the day before the election, I appointed the different persons to attend at that particular booth; William O'Farrell was the solicitor attending there, Timothy O'Brien was his clerk, and Patrick Needham was to be the personation agent; and I served on the High Sheriff of the town of Galway a notice to that effect, and I believe that the High Sheriff is here with that notice; I was bound to do that under the Act.

2606. Everything was done according to Act of Parliament, and that was a legitimate election expense?—Yes.

2607. I put the question as briefly as possible: do you know of your own knowledge, directly or indirectly, of any money having been spent on the part of Mr. Morris for election expenses, save those mentioned in that bill?—Most decidedly not.

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Re-examined by Mr. Redwell.

2595. Any communication that you have had with Sir Rowland Blennerhassett was purely of a casual character, and not connected with any election business?—I would not have anything at all to say to any of them; not only to Sir Rowland Blennerhassett, but to Mr. Stubber as well.

2596. Sir Rowland Blennerhassett was supported by a vast number of the gentry of Galway?—He was, and Sir Rowland Blennerhassett is a gentleman of very good social position; he is a baronet, and therefore he is higher in social position than myself.

[The Witness was directed to withdraw.]

Cross-examined by Mr. Sergeant Ballantine.

2608. You know Kirwan, of course, perfectly well?—What Kirwan do you mean?

2609. The pawnbroker?—I did not know him perfectly well; I do not know him perfectly well now.

2610. You do not know him by sight?—Not exactly.

2611. You did not know him at the time of the election?—I think not.

2612. Are you not sure of it?—I am not very sure; I do not reside in Galway, I reside 16 miles from it; it is very possible that I know him.

Mr. Montagu Chambers stated that he should ask this Witness no questions.

[The Witness was directed to withdraw.]

Mr. Redwell said that he was about to call Mr. Henry Perse, whereupon a discussion ensued as to the purpose of Mr. Perse's evidence, and it transpired that it would have reference to an application for costs on behalf of Mr. Morris.

The Chairmen said the Committee were of opinion that it would be more convenient to take the question of costs at the conclusion of the case, and Mr. Perse's evidence was deferred until then.

Mr. Redwell stated that he had one or two witnesses that he could call, but he would take upon himself the responsibility of leaving the case as it was.

Mr. Sergeant Ballantine then made the following statement. He said that of course every Counsel was obliged to perform a certain duty to his client; but he was always also at liberty to exercise a certain amount of discretion. In the exercise of that discretion, he felt it consistent with his own position, and with the respect due to the tribunal before whom he had the honour of appearing on that occasion, not to keep up the case against Mr. Morris any longer. He considered that Mr. Morris had exculpated himself from all the charges made in the petition of Mr. Lever. At the same time, there was another application to come before the Committee from Mr. Redwell, upon which he would have to offer some observations;

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Mr.
T. Higgins.

Mr.
T. Higgins.
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observations; and to justify, as he should be able to do, the presentation of the petition by Mr. Leven. But, under the circumstances, he felt that he ought not to allow a single moment longer to transpire without expressing the sentiments to which he had just given utterance.

Mr. Rodwell said, under these circumstances, he had nothing farther to say upon this part of the case.

Mr. Montagu Chambers also stated, that he should inform his clients, who were not then present, that he also could not in justice and propriety persevere in the petition against Mr. Morris. Having that impression, he felt it to be his bounden duty to act in accordance with his conviction. His belief was that he had not been able to make out a sufficient case against Mr. Morris, especially after the evidence which Mr. Morris had just given, and he therefore took upon himself the responsibility at any cost, of withdrawing on behalf of his client, from any further proceedings against Mr. Morris.

Mr. Rodwell was about to proceed with his application for costs, when—

Mr. Serjeant Ballantine objected to the case of Mr. Morris being completely disposed of, until the case against Sir Rowland Blennerhassett had been heard.

Mr. Montagu Chambers was heard in support of the objection.

Mr. Rodwell was about to reply, when—

The Chairman stated, that the Committee felt it unnecessary to call upon Mr. Rodwell for any reply, for after what had occurred, they considered that the time had arrived when they should dispose of the question of costs.

Mr. Rodwell then said, that he would not add to the observations he had already made upon this question, but would leave the matter in the hands of the Committee; except the reply he should have to make to any observations that might fall from either or both of his learned friends.

Mr. Serjeant Ballantine said he was prepared then to review the whole of the evidence, which it would be necessary for him to do, for the purpose of showing that there had been substantial ground for the presentation of a petition, at least so far as to render an investigation necessary.

The Chairman stated, that as it was within ten minutes of four, and therefore so near the usual time of adjournment, the Committee would adjourn and proceed with the question of costs to-morrow.

[Adjourned to To-morrow, at Two o'clock.]

GALWAY TOWN ELECTION.

I N D E X

TO THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

ON THE

GALWAY TOWN ELECTION
PETITION.

(1866.)

*Ordered, by The House of Commons, to be Printed,
17 May 1866.*

I N D E X.

[N.B.—In this Index the Figures following the Names of the Witnesses refer to the Questions in the Evidence; and the Numbers following Rep. to the Paging of the Report.]

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Witness wrote down the statement of Thomas Dillon as to his having been bribed, after which the statement was read over to Dillon, who signed it, *Statins*, 1858-1867.

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Duggan, Michael. Statement as to witness having been canvassed by Mr. Morris, and as to John Pearce having been with Mr. Morris at the time, *Duggan* 1440-1445. 1470-1500. 1506-1519. 1530-1534—Witness told Mr. Morris he should not vote for him, *ib.* 1446, 1447. 1484. 1485—Circumstance of John Pearce having subsequently said he would get 5*l.* for witness if he would vote for Morris and Blennerhassett; witness thereupon voted for them, and got a card after he had done so, *ib.* 1448-1458. 1530-1544—Applications by witness to Pearce for the 5*l.*, witness presenting the card at the same time; reasons assigned by the latter for not being able to pay it, *ib.* 1457-1469. 1535-1549.

Casual manner in which witness asked Michael Duggan whether he would vote for him; explanation as to Pearce having been close by at the time, *Morris* 2452-2454.

Dunkellin, Lord. Statement relative to the resignation of Lord Dunkellin, the appearance of several new candidates, and the consequent address of witness to the electors, *Morris* 2419-2423.

E.

Expenses of Election (Mr. Morris). Reference to the amount of witness's election expenses, the aggregate being 188*l.* 12*s.*, *Morris* 2594—Beyond the amount paid to Mr. Burke witness has not paid, nor promised to pay, a single shilling, *ib.* 2590-2595.

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Garrahy, John and Peter. Bribe of 5*l.* each conveyed through witness to John Garrahy and Peter Garrahy, *Keane* 1957-1963.

Griffin, Patrick. Application by witness to Mr. Patrick Griffin, after the election, for some money, witness and four others having gone with Griffin to the poll, and having been supplied by him with polling cards in favour of Sir R. Blennerhassett, *Campbell* 9040 *et seq.*—Witness did not however get any money from Griffin, *ib.* 2134-2145.

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Halloran, Andrew. Bribe of 5*l.* conveyed through witness to Andrew Halloran, *Keane* 1946-1955.

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Higgins, Thomas. (Analysis of his Evidence.)—Witness was conducting agent for Mr. Morris, and all payments were made under his cognizance, 2597-2600—Explanation relative to the payment of 1*l.* by Mr. Burke to the voter Needham, as personation agent at one of the booths; legitimate character of this payment, 2601-2606—Neither directly nor indirectly was any money spent, to witness's knowledge, beyond the amount included in the account of the agent for election expenses, 2607—Witness is not sure that at the time of the election he knew anything of Kirwan the pawnbroker, 2608-2612.

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Witness expresses his regret to the Committee for his conduct in regard to Thomas Madden, *Kirwan* 1435-1433.

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Keene, James Power. (Analysis of his Evidence.)—Statement as to Mr. John Oliver, miller, having been one of those who were very active on behalf of Sir Rowland Blennerhasset, 1919-1945.—Particulars as to witness having given 5*l.* each to about four-and-twenty voters as bribes, the money and a list of the voters having been sent to witness by Oliver, 1946 *et seq.*

Keary, Fisa James. (Analysis of his Evidence.)—Witness has always lived in Gt. Way; he does not at present belong to any profession, but has it in contemplation to become an attorney, 6-13.—Number of freemen, of freeholders, and of ratepayers composing the constituency, 14-16.—Return of Mr. Lever at the head of the poll at the election of 1859, 18-20.—Dates at which the different candidates commenced to canvass, previously to the last election, 17-32.—Rooms occupied by Mr. Morris, where his supporters went in and out, 33-63.

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Murday, Edward. (Analysis of his Evidence.)—Evidence relative to several persons who were active on the side of Mr. Morris and Sir Rowland Blennerhasset, or acted as agents on their behalf, 1548 *et seq.*—Circumstance of witness, who voted for Mr. Lever, having received 2*l.* at Christmas from Father Daly, 1607-1620.

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Ormsbee, James. (Analysis of his Evidence.)—Witness was canvassed by Mr. Lever, and promised to support him, 945-948.—Witness was also canvassed for Mr. Morris, and was employed by Mr. Reddington to bring voters to the poll for Sir Rowland Blennerhasset and Mr. Morris, 949-962.—Nothing was paid to witness for his services as agents: he voted for Morris and Blennerhasset, 963-976.—No money was ever given to witness by Mr. John Kirwan for his vote, but he had 5*l.* from Mr. Fahy, 977-983.

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P.

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Promise by John Pearce to give witness 5*l.* if he would vote for Mr. Morris; Pearce, said, after the election, that he could not give witness the money, *Oswald* 2194-2209—Cross-examination on the circumstance of witness not having mentioned, when before the Committee on a previous day, the promise made by Pearce, *ib.* 2219-2215, 2284-2296.

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Witness was canvassed by Mr. Morris, but did not promise him; he voted for Mr. Lever without having been canvassed on his behalf, 1700-1723.—Explanation that witness came from Galway to London at his own expense, and volunteered, for the first time in London, the evidence which he was prepared to give; no payment has been promised him, nor does he expect any beyond his expenses, 1724-1783. 1835-1851.—Examination on the circumstance of witness having written down at the time what he saw at Brady's house on the evening after the election; he told Mr. Lever of it the next morning, 1805-1834. 1852-1857.—Witness wrote down the statement of Thomas Dillon as to his having been bribed, after which the statement was read over to Dillon, who signed it, 1858-1867.

State of the Poll. Very general support received by witness from the clergy of all denominations as well as from all classes of the constituency; very large majority of the voters who polled for him, *Morris* 2437, 2438. 2442, 2443. 2460-2474.—Explanation as to witness having readily absolved some of his supporters from the obligation of voting for him, otherwise his majority would have been greater, *id.* 2474.—Annoyance felt by witness at being mixed up in a contest at all, though he never had the slightest apprehension about his return, and that at the head of the poll, *id.* 2528-2531.

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Witnesses. Explanation that witness came from Galway to London at his own expense, and volunteered, for the first time in London, the evidence which he was prepared to give; no payment has been promised him, nor does he expect any beyond his expenses, *Steinon* 1724-1783. 1835-1851.—Statement on the subject of witness's expenses, and the amount already received, or expected by him to be received, in respect of his coming to London, *Ormslee* 2397-2324. 2351, 2352.

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GALWAY TOWN ELECTION.

I N D E X

TO THE

MINUTES OF EVIDENCE

TAKEN BEFORE THE

SELECT COMMITTEE

OF THE

GALWAY TOWN ELECTION
PETITION.

(1866.)

*Ordered, by The House of Commons, to be Printed,
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